



# 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.03-70001 AS OF 3 January 2008 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 3rd Day of January 2008.*

*William B. Miertschin, Assistant Director  
Site Remediation Section*

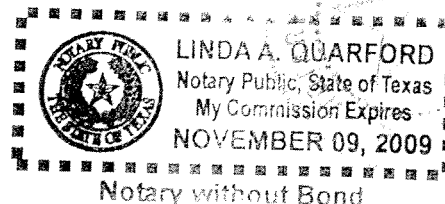
STATE OF Texas

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, the 3rd Day of January 2008.

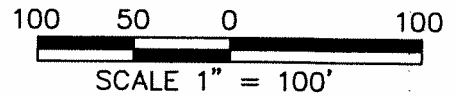
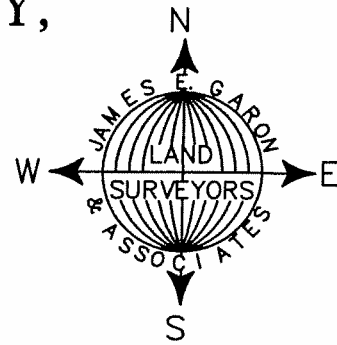
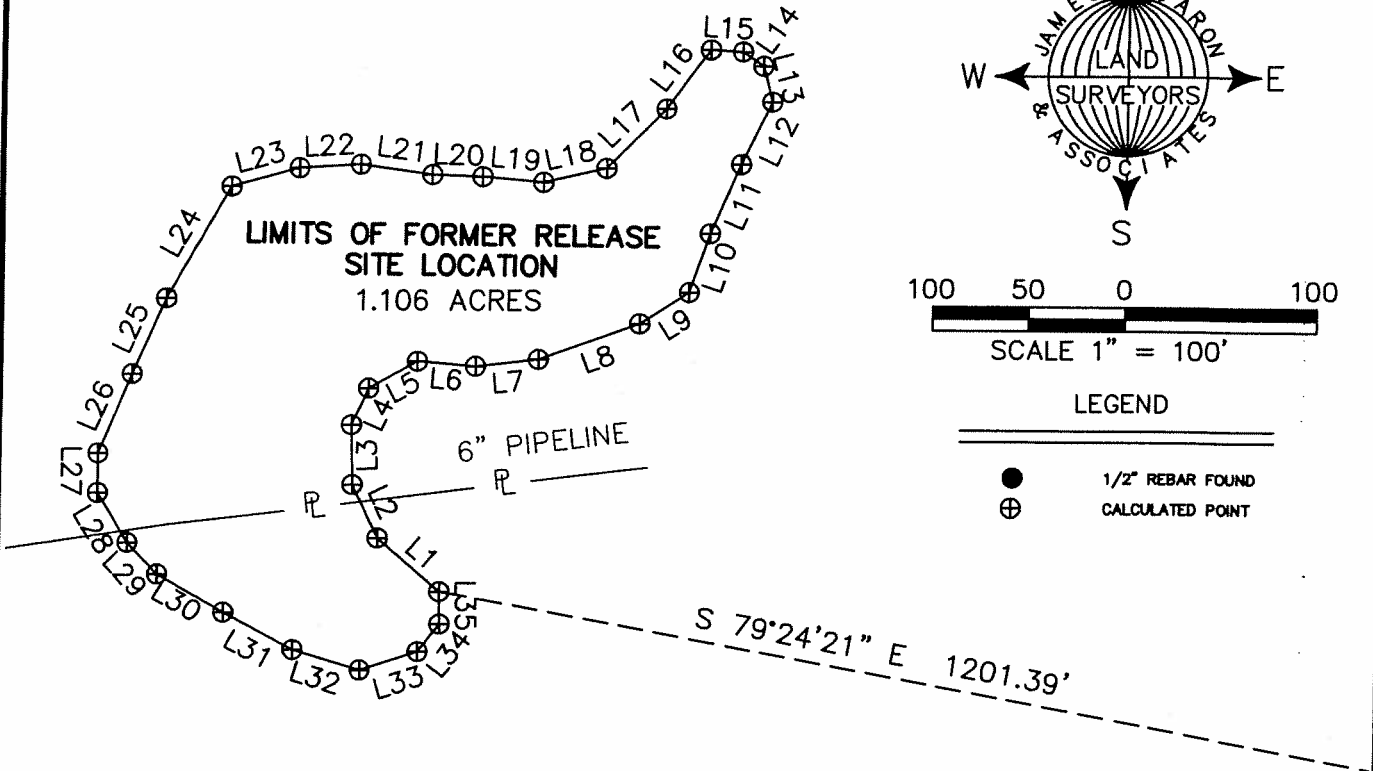
Notary Public in and for the State of Texas



***EXHIBIT "A"***  
***RAILROAD COMMISSION OF TEXAS***  
***VOLUNTARY CLEANUP PROGRAM***  
***LEGAL DESCRIPTION OF THE A Bar Ranch Site***  
***Fayette County, Texas***  
***VCP No. 03-70001***

Koch Westpoint Spill Site  
Fayette County, Texas  
VCP 03-70001

# KOCH PIPELINE FORMER RELEASE SITE FAYETTE COUNTY, TEXAS



**LEGEND**

- 1/2" REBAR FOUND
- ⊕ CALCULATED POINT

LINE	BEARING	DISTANCE
L1	N 49°06'12" W	43.25'
L2	N 25°54'35" W	31.12'
L3	N 01°31'34" W	31.50'
L4	N 23°55'44" E	21.05'
L5	N 60°40'17" E	29.03'
L6	S 85°09'57" E	30.54'
L7	N 83°33'17" E	32.88'
L8	N 69°58'18" E	55.37'
L9	N 57°14'04" E	30.55'
L10	N 18°41'41" E	32.52'
L11	N 23°27'34" E	39.51'
L12	N 25°32'50" E	36.28'
L13	N 14°50'29" W	19.38'
L14	N 55°08'03" W	13.07'
L15	N 86°51'49" W	16.73'
L16	S 36°14'25" W	38.45'
L17	S 44°14'56" W	43.80'

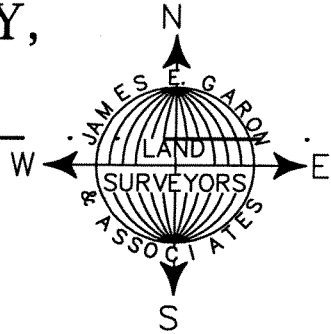
LINE	BEARING	DISTANCE
L18	S 77°05'29" W	33.23'
L19	N 84°49'55" W	31.90'
L20	N 87°39'10" W	26.28'
L21	N 81°59'23" W	37.80'
L22	S 86°29'00" W	32.21'
L23	S 74°35'11" W	36.62'
L24	S 29°34'19" W	67.47'
L25	S 23°34'24" W	43.45'
L26	S 22°46'08" W	45.29'
L27	S 00°18'25" E	20.89'
L28	S 32°00'28" E	30.73'
L29	S 43°35'28" E	23.00'
L30	S 60°11'49" E	40.02'
L31	S 61°57'56" E	41.37'
L32	S 73°19'28" E	36.81'
L33	N 72°08'33" E	31.76'
L34	N 37°50'02" E	18.40'
L35	N 01°24'18" W	17.02'



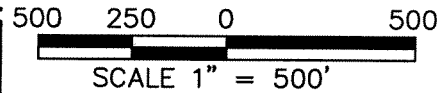
**JAMES E. GARON & ASSOC.**  
PROFESSIONAL LAND SURVEYORS

924 Main Street  
Bastrop, Texas 78602  
(512) 303-4185  
fax (512) 321-2107

# KOCH PIPELINE FORMER RELEASE SITE FAYETTE COUNTY, TEXAS



APPROXIMATE  
NORTHEAST CORNER  
J.P. McFARLAND LEAGUE



LEGEND

● 1/2" REBAR FOUND

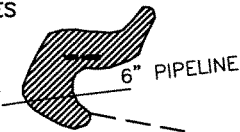
ROBBIE MOORE SANDERS &  
SCOTT ADDISON  
1003/88  
(FOURTEENTH TRACT)  
(125 ACRES)

J.P. McFARLAND LEAGUE  
ABSTRACT NO. 232

DAVID BERRY SURVEY  
ABSTRACT NO. 140

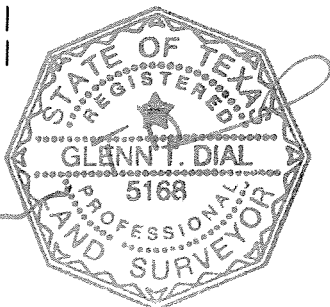
ROBBIE MOORE SANDERS &  
SCOTT ADDISON  
1003/88  
(FOURTH TRACT)  
(125 ACRES)

FORMER RELEASE SITE  
1.106 ACRES



S 79°24'21" E  
1201.39'

VICKIE McCARTY  
10.0 AC.  
Prop. ID# 34562



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& ASSOCIATES INC.**  
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Fax 512-321-2107  
jgaron@austin.rr.com

November 1, 2007

**KOCH WEST POINT RELEASE SITE, JOB # 044088**

**LEGAL DESCRIPTION:** BEING A 1.106 ACRE TRACT OF LAND LYING IN AND BEING SITUATED OUT OF THE J.P. McFARLAND LEAGUE, ABSTRACT NO. 232, FAYETTE COUNTY, TEXAS AND BEING OUT OF AND A PART OF THE FOURTH TRACT (125 ACRES) OF THAT CERTAIN 2,039.28 ACRE TRACT OF LAND CONVEYED TO EMILY BROUSSARD MOORE, ROBBIE MOORE SANDERS AND SCOTT ADDISON MOORE BY DEED OF INDEPENDENT CO-EXECUTICES RECORDED IN VOLUME 1003, PAGE 88 OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS; SAID 1.106 ACRE TRACT BEING THE LIMITS OF A FORMER RELEASE SITE LOCATION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN JUNE, 2007:

**BEGINNING** at a point on the limits of said former release site for an angle point hereof, from which said **POINT OF BEGINNING** an iron rod found at the southwesterly corner of that certain 10.0 acre tract of land conveyed to Vickie McCarty as identified by Property ID No. 34562 by the Fayette Central Appraisal District, being in the westerly line of the David Berry Survey, Abstract No. 140, the easterly line of said J.P. McFarland League, Abstract No. 232 bears S 79°24'21" E a distance of 1201.39 feet and from which said McCarty southwesterly corner the northwesterly corner of said David Berry Survey, the northeasterly corner of said J.P. McFarland League bears approximately N 00°00'00" E a distance of 3185 feet;

THENCE with the limits of said former release site the following thirty-five (35) calls:

- 1) N 49°06'12" W a distance of 43.25 feet to an angle point hereof,
- 2) N 25°54'35" W a distance of 31.12 feet to an angle point hereof,
- 3) N 01°31'34" W a distance of 31.50 feet to an angle point hereof,
- 4) N 23°55'44" E a distance of 21.05 feet to an angle point hereof,
- 5) N 60°40'17" E a distance of 29.03 feet to an angle point hereof,
- 6) S 85°09'57" E a distance of 30.54 feet to an angle point hereof,
- 7) N 83°33'17" E a distance of 32.88 feet to an angle point hereof,
- 8) N 69°58'18" E a distance of 55.37 feet to an angle point hereof,
- 9) N 57°14'04" E a distance of 30.55 feet to an angle point hereof,
- 10) N 18°41'41" E a distance of 32.52 feet to an angle point hereof,
- 11) N 23°27'34" E a distance of 39.51 feet to an angle point hereof,
- 12) N 25°32'50" E a distance of 36.28 feet to an angle point hereof,
- 13) N 14°50'29" W a distance of 19.38 feet to an angle point hereof,

- 14) N 55°08'03" W a distance of 13.07 feet to an angle point hereof,
- 15) N 86°51'49" W a distance of 16.73 feet to an angle point hereof,
- 16) S 36°14'25" W a distance of 38.45 feet to an angle point hereof,
- 17) S 44°14'56" W a distance of 43.80 feet to an angle point hereof,
- 18) S 77°05'29" W a distance of 33.23 feet to an angle point hereof,
- 19) N 84°49'55" W a distance of 31.90 feet to an angle point hereof,
- 20) N 87°39'10" W a distance of 26.28 feet to an angle point hereof,
- 21) N 81°59'23" W a distance of 37.80 feet to an angle point hereof,
- 22) S 86°29'00" W a distance of 32.21 feet to an angle point hereof,
- 23) S 74°35'11" W a distance of 36.62 feet to an angle point hereof,
- 24) S 29°34'19" W a distance of 67.47 feet to an angle point hereof,
- 25) S 23°34'24" W a distance of 43.45 feet to an angle point hereof,
- 26) S 22°46'08" W a distance of 45.29 feet to an angle point hereof,
- 27) S 00°18'25" E a distance of 20.89 feet to an angle point hereof,
- 28) S 32°00'28" E a distance of 30.73 feet to an angle point hereof,
- 29) S 43°35'28" E a distance of 23.00 feet to an angle point hereof,
- 30) S 60°11'49" E a distance of 40.02 feet to an angle point hereof,
- 31) S 61°57'56" E a distance of 41.37 feet to an angle point hereof,
- 32) S 73°19'28" E a distance of 36.81 feet to an angle point hereof,
- 33) N 72°08'33" E a distance of 31.76 feet to an angle point hereof,
- 34) N 37°50'02" E a distance of 18.40 feet to an angle point hereof,
- 35) N 01°24'18" W a distance of 17.02 feet to the **POINT OF BEGINNING**, having an area of 1.106 acres, more or less, and as shown on map of survey prepared herewith.

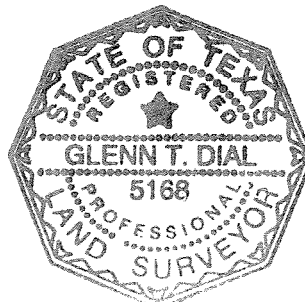
Surveyed by:



Glenn T. Dial

Registered Professional Land Surveyor

Server: Co\Fayette\Surveys\Koch Pipeline\B33907.doc



MICHAEL L. WILLIAMS, CHAIRMAN  
VICTOR G. CARRILLO, COMMISSIONER  
ELIZABETH A. JONES, COMMISSIONER



TOMMIE SEITZ  
DIRECTOR, OIL AND GAS DIVISION  
WILLIAM B. MIERTSCHIN  
ASSISTANT DIRECTOR, SITE REMEDIATION

# RAILROAD COMMISSION OF TEXAS

## OIL AND GAS DIVISION

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

I, Robbie Moore Sanders, representing the owners of the A-Bar Ranch, based on representations from Koch Pipeline Inc., report the completion of response actions pursuant to Chapter 91, Subchapter O, Texas Natural Resource Code, at the tract of land described in Exhibit "A" to this certificate pertaining to a six acre site located in Fayette County, Texas. The Site was owned by the A-Bar Ranch at the time the application to participate in the Voluntary Cleanup Program was filed. Koch advises that it submitted and received approval from the Railroad Commission of Texas Voluntary Cleanup Program on all plans and reports required by the Voluntary Cleanup Agreement and 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. Based on information from Koch, 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. 3-70001.

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

Applicant

By:

Print Name:

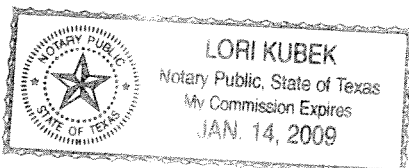
STATE OF TEXAS  
COUNTY OF BASTROP

ROBBIE MOORE SANDERS

BEFORE ME, personally appeared

ROBBIE MOORE SANDERS, 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,



Lori Kubek 2007  
Notary Public in and for the State of Texas

ABAR AFFIDAVIT