



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.03-70008 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 28th day of August, 2009.

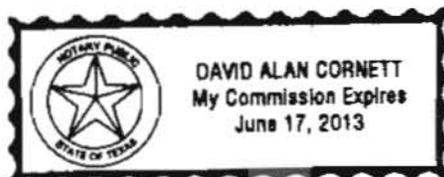
*William B. Miertschin, Assistant Director
Site Remediation Section*

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 28th day of August, 2009.



Notary Public in and for the State of Texas

EXHIBIT A

**RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM**

LEGAL DESCRIPTION

**4.58-Acre and 3.8-Acre Tract
Galveston, Texas**

VCP No. 03-70008

All of those certain two (2) tracts or parcels being out of and a part of the **RAPHAEL BASQUEZ SURVEY, Abstract Number 32**, and the **NATHAN FULLER SURVEY, Abstract Number 67**; said two (2) tracts also being out of and a part of that certain 302.30 acre tract, called Tract 2, conveyed from L.C. Reflection Bay Development Ltd. to Taylor Woodrow Communities - League City, Ltd. by instrument, dated February 15, 2005, recorded under Clerk's File Number 2005012334 in the Official Public Records of Real Property of Galveston County, Texas; said two (2) tracts being more particularly described as AOC No. 1 and AOC No. 2 by metes and bounds as follows:

NOTE: ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM 1993 ADJUSTMENT). COORDINATES LISTED ARE BASED ON SURFACE COORDINATES AND DISTANCES SHOWN HEREON ARE SURFACE DISTANCES. ALL COORDINATES AND DISTANCES SHOWN HEREON MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF 0.999867577.

AOC NO. 1

COMMENCING at the most Easterly corner of that certain tract called Parcel G-4 in an Eminent Domain Proceeding in the Galveston County Court at Law # 1, Cause 47,264 and for a West corner of said Tract 2, said point having Texas State Plane Coordinate Values of Y = 13,759,273.35 and X = 3,235,973.20; bearing N 69°43'51" E, 880.36 feet from an iron rod with cap stamped 'GeoSurv' found for the most Northerly corner of MAR BELLA, SECTION FIVE, PHASE I, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2007A, Map Numbers 92 and 93 in the Office of the County Clerk of Galveston County, Texas; and from which a found 5/8 inch iron rod bears N 08°45'12" W, 0.39 feet;

THENCE S 34°14'08" E, a distance of 2729.91 feet to a 5/8 inch iron rod with cap stamped 'GeoSurv' set for the **POINT OF BEGINNING**, said point having Texas State Plane Coordinate Values of Y = 13,757,016.46 and X = 3,237,509.04;

THENCE N 81°10'08" E, a distance of 399.00 feet to a 5/8 inch iron rod with cap stamped 'GeoSurv' set for the most Northerly corner of the herein described tract;

THENCE S 08°53'18" E, a distance of 500.00 feet to a 5/8 inch iron rod with cap stamped 'GeoSurv' set for the most Easterly corner of the herein described tract;

THENCE S 81°10'08" W, a distance of 399.50 feet to a 5/8 inch iron rod with cap stamped 'GeoSurv' set for the most Southerly corner of the herein described tract;

THENCE N 08°49'52" W, a distance of 500.00 feet to the **POINT OF BEGINNING** and containing a calculated area of 4.58 acres.

AOC NO. 2

COMMENCING at the most Easterly corner of that certain tract called Parcel G-4 in an Eminent Domain Proceeding in the Galveston County Court at Law # 1, Cause 47,264 and for a West corner of said Tract 2, said point having Texas State Plane Coordinate Values of Y = 13,759,273.35 and X = 3,235,973.20; bearing N 69°43'51" E, 880.36 feet from an iron rod with cap stamped 'GeoSurv' found for the most Northerly corner of MAR BELLA, SECTION FIVE,

PHASE I, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2007A, Map Numbers 92 and 93 in the Office of the County Clerk of Galveston County, Texas; and from which a found 5/8 inch iron rod bears N 08°45'12" W, 0.39 feet;

THENCE N 57°36'02" E, a distance of 723.78 feet to a 5/8 inch iron rod with cap stamped 'GeoSurv' set for the **POINT OF BEGINNING**, said point having Texas State Plane Coordinate Values of Y = 13,759,661.17 and X = 3,236,584.32;

THENCE N 13°09'00" W, a distance of 349.00 feet to a 5/8 inch iron rod with cap stamped 'GeoSurv' set for the most Westerly corner of the herein described tract;

THENCE N 76°51'00" E, a distance of 474.50 feet to a 5/8 inch iron rod with cap stamped 'GeoSurv' set for the most Northerly corner of the herein described tract;

THENCE S 13°09'00" E, a distance of 349.50 feet to a 5/8 inch iron rod with cap stamped 'GeoSurv' set for the most Easterly corner of the herein described tract;

THENCE S 76°54'38" W, a distance of 474.50 feet to the **POINT OF BEGINNING** and containing a calculated area of 3.80 acres.

March 3, 2009

I hereby certify that on the above date, the herein described Lot, 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.

GeoSurv, LLC



Dale L. Hardy
Registered Professional
Land Surveyor 4847



PREPARED
JUNE 17, 2009
BY

DALE L. HARDY / GEOSURV, LLC
REGISTERED PROFESSIONAL LAND SURVEYORS
P.O. BOX 246, LEAGUE CITY, TEXAS 77574
PH 281-554-7739 FAX 281-554-6928 E-MAIL: dhardy@geosurvllc.com

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S.H. 96

WEEMS & KELSEY
MANAGEMENT
COMPANY NO. 2 LTD.
TO
L.C. REFLECTION BAY
DEVELOPMENT LTD.
FEBRUARY 15, 2005
GCCF #2005012332

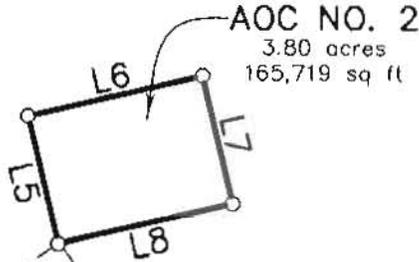
CITY OF LEAGUE CITY, TEXAS
GCCF #2007020539

PARCEL G-4
CITY OF LEAGUE CITY
V.
WEEMS & KELSEY MANAGEMENT
CO. NO. 2 LTD. et al
CAUSE NO. 47,264
COUNTY COURT AT LAW NO.1
GALVESTON COUNTY, TEXAS

N 69°43'51" E - 880.36'

MAR BELLA,
SEC. 5, PH. 1
(2007A/92-93)

MAR BELLA,
SEC. 9-A
(2008A/104-106)



AOC NO. 2
3.80 acres
165,719 sq ft

P.O.B.—AOC NO. 2
N: 13,759,661.17
E: 3,236,584.32

P.O.C.—AOC NO. 1 & 2
N: 13,759,273.35
E: 3,235,973.20

TRACT 2
L.C. REFLECTION BAY
DEVELOPMENT LTD.
TO
TAYLOR WOODROW
COMMUNITIES—
LEAGUE CITY LTD.
FEBRUARY 15, 2005
GCCF #2005012334

S 34°12'08" E - 2729.91'

RAFAEL BASQUEZ SURVEY
ABSTRACT 32

NATHAN FULLER SURVEY
ABSTRACT 67

AOC NO. 1
4.58 acres

STATE HIGHWAY 146
SOUTHERN PACIFIC RAILROAD
300' HOUSTON LIGHTING &
POWER ESMY, PC 594
VOL. 1579, PG. 594

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

I, Craeg McGaha, representing Taylor Woodrow Communities – League City, Ltd. A Texas Limited Partnership have 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 VCP No. 03-70008 located in Galveston County, Texas. The Site was owned by Taylor Woodrow Communities – League City, Ltd. A Texas Limited Partnership 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 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. 03-70008.

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

Applicant

By: Craig McGaha

Print Name: CRAIG MCGAHA

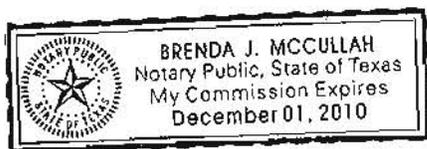
STATE OF Texas
COUNTY OF NARRIS

BEFORE ME, personally appeared

Craig McGaha, 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,

2009



Brenda J. McCullah
Notary Public in and for the State of Texas