



RAILROAD COMMISSION OF TEXAS

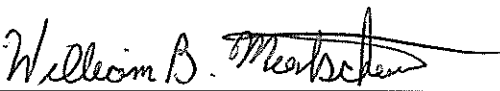
OIL AND GAS DIVISION

VOLUNTARY CLEANUP PROGRAM FINAL CERTIFICATE OF COMPLETION 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.03-90004 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 day of July 2010.

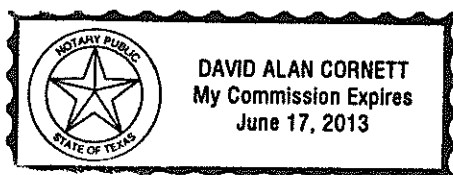

William B. Miertschin, Assistant Director
Site Remediation Section

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 9 day of July 2010.




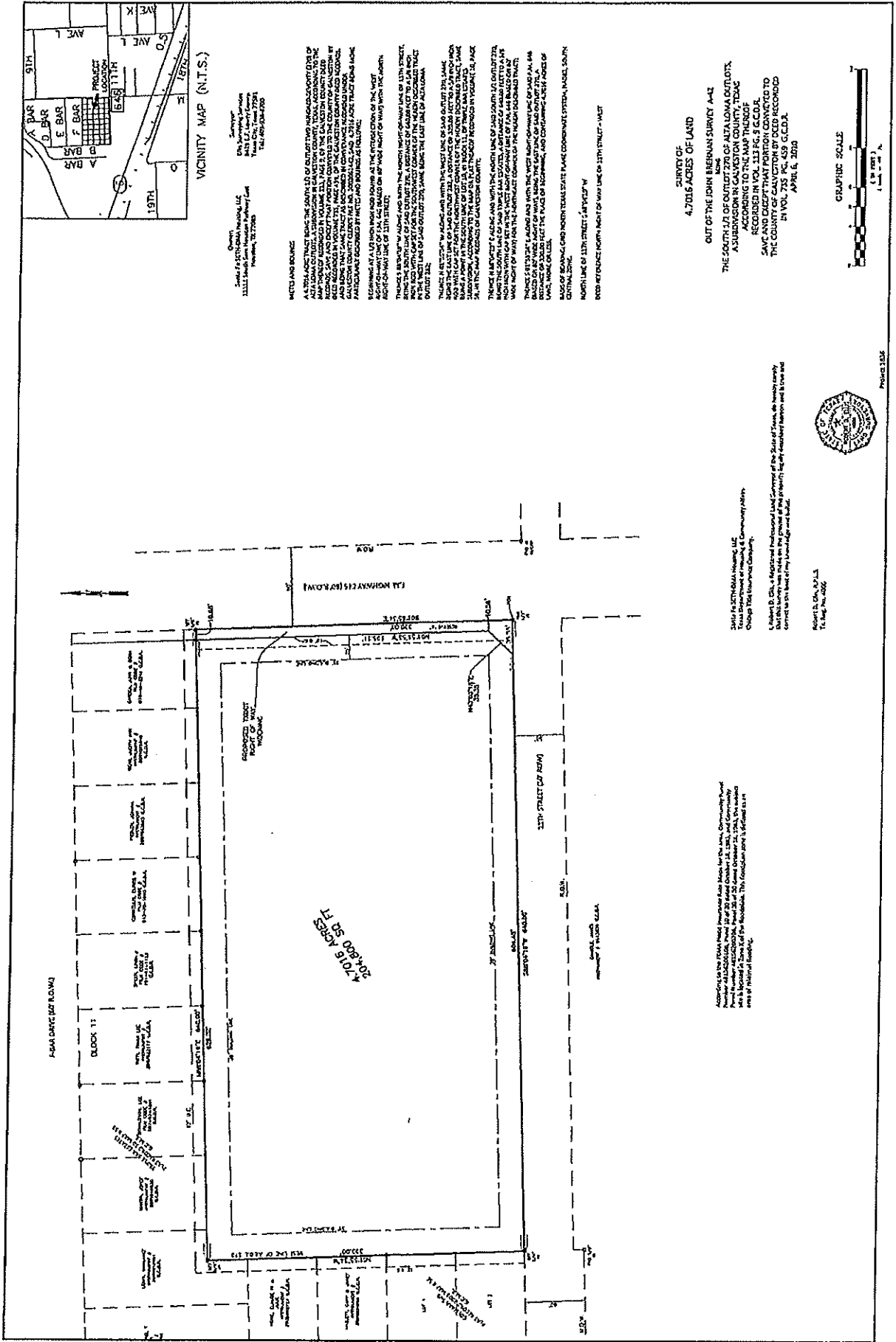

Notary Public in and for the State of Texas

EXHIBIT A

**RAILROAD COMMISSION OF TEXAS
VOLUNTARY CLEANUP PROGRAM
LEGAL DESCRIPTION**

**4.7016-Acre Tract
Galveston, Texas**

VCP No. 03-90004



Client:
SUNBELT REAL ESTATE HOLDINGS, L.P.
11111 East Southwestern Highway East
Houston, TX 77036
Tel: 281-338-2700

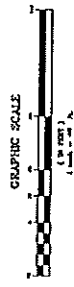
Surveyor:
DAN BISHOP
11111 East Southwestern Highway East
Houston, TX 77036
Tel: 281-338-2700

NOTES AND REMARKS:

A 11.05 008 102 306 ACRES TRACT BEING THE SOUTH 1/2 OF QUARTER TWO (2) AND QUARTER THREE (3) OF SECTION SIX (6) OF TOWNSHIP 33 NORTH, RANGE 13 EAST, COUNTY OF GALVESTON, TEXAS, AS SHOWN ON THE MAP THEREOF RECORDED IN VOLUME 224, PAGE 28 OF THE GALVESTON COUNTY CLERK'S OFFICE RECORDS, IS HEREBY BEING DIVIDED INTO SEVEN (7) LOTS, TO-WIT: LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, AND LOT 7, AS SHOWN ON THIS MAP. THE TOTAL AREA OF THE TRACT IS 11.05 008 102 306 ACRES. THE TOTAL AREA OF THE LOTS IS 11.05 008 102 306 ACRES. THE TOTAL AREA OF LOT 1 IS 1.05 008 102 306 ACRES. THE TOTAL AREA OF LOT 2 IS 1.05 008 102 306 ACRES. THE TOTAL AREA OF LOT 3 IS 1.05 008 102 306 ACRES. THE TOTAL AREA OF LOT 4 IS 1.05 008 102 306 ACRES. THE TOTAL AREA OF LOT 5 IS 1.05 008 102 306 ACRES. THE TOTAL AREA OF LOT 6 IS 1.05 008 102 306 ACRES. THE TOTAL AREA OF LOT 7 IS 1.05 008 102 306 ACRES.

SURVEY OF
4.7016 ACRES OF LAND

OUT OF THE JOHN BISHOP SURVEY A-42
BEING
THE SOUTHWEST 1/4 OF QUARTER ONE (1) OF SECTION SIX (6) OF TOWNSHIP 33 NORTH, RANGE 13 EAST, COUNTY OF GALVESTON, TEXAS,
AS SHOWN ON THE MAP THEREOF RECORDED IN VOLUME 133, PAGE 9, COUNTY CLERK'S OFFICE RECORDS,
IN VOLUME 133, PAGE 9, COUNTY CLERK'S OFFICE RECORDS,
APRIL 6, 2010



DAN BISHOP, Surveyor
11111 East Southwestern Highway East
Houston, TX 77036
Tel: 281-338-2700

Robert D. Galt, Registered Professional Land Surveyor of the State of Texas, by his duly sworn and authorized agent,
L. Robert D. Galt, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this survey was made on the premises of the above named property, described herein and is true and correct to the best of my knowledge and belief.

Robert D. Galt, R.L.S.
L. Robert D. Galt, R.L.S.



Project 2156

METES AND BOUNDS

A 4.7016 ACRE TRACT BEING THE SOUTH 1/2 OF OUTLOT TWO HUNDRED-SEVENTY (270) OF ALTA LOMA OUTLOTS, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 113, PAGE 9, OF THE GALVESTON COUNTY DEED RECORDS, SAVE AND EXCEPT THAT PORTION CONVEYED TO THE COUNTY OF GALVESTON BY DEED RECORDED IN VOLUME 735, PAGE 459, OF THE GALVESTON COUNTY DEED RECORDS, AND BEING THAT SAME TRACT AS DESCRIBED IN CONVEYANCE RECORDED UNDER GALVESTON COUNTY CLERK'S FILE NO. 2002061442, SAID 4.7016 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2 INCH IRON ROD FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF F.M. 646 (BASED ON 80' WIDE RIGHT OF WAY) WITH THE NORTH RIGHT-OF-WAY LINE OF 11TH STREET;

THENCE S 88°04'19" W ALONG AND WITH THE NORTH RIGHT-OF-WAY LINE OF 11TH STREET, BEING THE SOUTH LINE OF SAID OUTLOT 270, A DISTANCE OF 640.00 FEET TO A 5/8 INCH IRON ROD WITH CAP SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT IN THE WEST LINE OF SAID OUTLOT 270, SAME BEING THE EAST LINE OF ALTA LOMA OUTLOT 282;

THENCE N 01°55'34" W ALONG AND WITH THE WEST LINE OF SAID OUTLOT 270, SAME BEING THE EAST LINE OF SAID OUTLOT 282, A DISTANCE OF 320.00 FEET TO A 5/8 INCH IRON ROD WITH CAP SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING A POINT IN THE SOUTH LINE OF LOT 10, IN BLOCK 11, OF TRIPLE BAR ESTATES SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 10, PAGE 59, IN THE MAP RECORDS OF GALVESTON COUNTY; \

THENCE N 88°04'19" E ALONG AND WITH THE NORTH LINE OF SAID SOUTH 1/2 OUTLOT 270, BEING THE SOUTH LINE OF SAID TRIPLE BAR ESTATES, A DISTANCE OF 640.00 FEET TO A 5/8 INCH IRON WITH CAP SET IN THE WEST RIGHT-OF-WAY LINE OF F.M. 646 (BASED ON 80' WIDE RIGHT OF WAY) FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 01°55'34" E ALONG AND WITH THE WEST RIGHT-OF-WAY LINE OF SAID F.M. 646 (BASED ON 80' WIDE RIGHT OF WAY), BEING THE EAST LINE OF SAID OUTLOT 270, A DISTANCE OF 320.00 FEET THE PLACE OF BEGINNING, AND CONTAINING 4.7016 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARING: GRID NORTH TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, SOUTH CENTRAL ZONE.

NORTH LINE OF 11TH STREET S 88°04'19" W

DEED REFERENCE NORTH RIGHT OF WAY LINE OF 11TH STREET = WEST

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

I, Diana McIver representing DMA Development LLC 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. 03-90004 located in Galveston County, Texas. The Site was owned by William J. Tuttle and Ronald F. Loomis at the time the application to participate in the Voluntary Cleanup Program was filed. The Applicants have 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 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 with the following provisions outlined in the environmental restrictive covenant that has been placed on the real property records of Galveston County, document 2010025171, enclosed herein as Exhibit C. The following restrictive covenants are placed on the property:

1. Use of ground water beneath the affected property shall not be allowed except for monitoring purposes.
2. These restrictions shall be a covenant running with the land.

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. 03-90004.

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

Applicant

By: _____

Print Name: Diana McIver

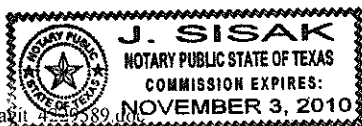
STATE OF Texas
COUNTY OF Travis

BEFORE ME, personally appeared:

Diana McIver, 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,

2010



DMA affidavit 2-25-09.doc
VCP 03-90004

J. Sisak
Notary Public in and for the State of Texas



**RAILROAD COMMISSION OF TEXAS
ENVIRONMENTAL RESTRICTIVE COVENANT**

STATE OF TEXAS

COUNTY OF GALVESTON

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 (Affected Property) described as follows:

Southeast Texas Housing Finance Corporation is the current Owner of the Affected Property and premises, and appurtenances thereto, located in Galveston County, Texas, consisting of:

A 4.7016 acre tract of land located in Galveston County, Santa Fe, Texas at the northwest intersection 11th Street and FM 646 more specifically described in Survey performed by Robert D'Ellis which is attached to this covenant and presented as Exhibit A. The entire 4.7016 acres is Affected Property for purposes of this covenant.

This restrictive covenant is required for the following reasons:

The Affected Property consists of a 4.7016 acre tract located at the northwest corner of 11th Street and FM 646 in Santa Fe, Texas, and herein referred to as the 4.7016 Acre Tract. A series of above ground storage tanks were formerly located on the 4.7016 Acre Tract. These above ground tanks were used for the storage of crude oil produced from an oil well located on adjoining property. Oil exploration activities are documented in the records for Well No. 16701456 in the Alta Loma North Tacquard leased by Hanson S T et. al. Unit No. 1. Lease No. 06047 and other documents recognized by the Commission. Testing of the groundwater on the 4.7016 acre tract revealed the presence of elevated chloride concentrations in the groundwater. The restrictive covenant prohibits the use of groundwater on the 4.7016 acre tract.

The investigation, assessment, remediation and analytical data are contained in reports on record with the Commission in the Voluntary Cleanup Program. These reports are entitled: Phase I Site Assessment, Subsurface Investigation Report, Report on Naturally Occurring Radioactive Materials (NORM) and Groundwater Monitoring and Soil Excavation.

Groundwater on the southern and eastern portion of the Affected Property contains concentrations of dissolved chloride that exceed the limit of 300 milligrams per liter recognized by the Commission. This restrictive covenant is required because the remediation was performed in such a manner that the chloride in groundwater on the southern and eastern portion of the Affected Property has a maximum concentration of 3,360 milligrams per liter.

The response action has been approved by the Commission based on the presumption that the groundwater beneath the Affected Property will not be used for any purpose, except monitoring. The Commission has determined that the Affected Property currently meets standards for residential use. Based on information contained in the reports identified above, the chemicals of concern pose no significant present or future risk to humans or the environment. The Commission does not require any further remediation of the Affected Property as long as the ground water is not used. 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 property in any manner inconsistent with this restriction. If any person desires to use the ground water beneath the Affected Property, 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.

Southeast Texas Housing Finance Corporation is the Owner of the Property. In consideration of the Response Action leading to final approved remediation of the Affected Property, the Owner of the Property has agreed to place the following restrictions on the 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 Property described in Exhibit A:

1. Use of the ground water beneath the Affected Property shall not be allowed except for monitoring purposes.
2. 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

Railroad Commission of Texas Voluntary Cleanup Program No.: VCP 03-90004.

As of the date of this Covenant, the record owner of fee title to the Property is the Southeast Texas Housing Finance Corporation with an address of 11111 South Sam Houston Parkway East Houston, TX 77089

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 28th day of April 2010.

Southeast Texas Housing Finance Corporation

Signature: [Handwritten Signature]

Printed Name: Ron Williams

Title Secretary / Executive Dir.

STATE OF TEXAS
~~HARRIS~~ COUNTY

BEFORE ME, on this the 28th day of April 10, personally appeared Ron Williams known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

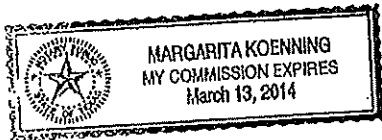
GIVEN UNDER MY HAND AND SEAL OF OFFICE

Signature [Handwritten Signature]

Notary Public in and for the State of Texas

County of Harris

My Commission Expires: 3/13/2014



Accepted as Third Party Beneficiary this 10th day of May, 2010

Railroad Commission of Texas

By: [Handwritten Signature]

Printed Name: Rathy Keils

Title: Attorney, Special Counsel Section

STATE OF TEXAS
Travis County

BEFORE ME, on this the 10th day of May, 2010 personally appeared Kathy Kails known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE

Signature

David Cornett

Notary Public in and for the State of

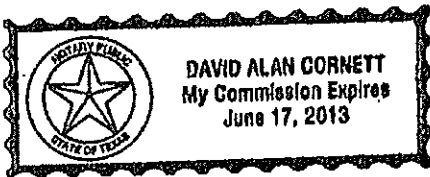
Texas

County of

Travis

My Commission Expires:

12/10



METES AND BOUNDS

A 4.7016 ACRE TRACT BEING THE SOUTH 1/2 OF OUTLOT TWO HUNDRED-SEVENTY (270) OF ALTA LOMA OUTLOTS, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 113, PAGE 9, OF THE GALVESTON COUNTY DEED RECORDS, SAVE AND EXCEPT THAT PORTION CONVEYED TO THE COUNTY OF GALVESTON BY DEED RECORDED IN VOLUME 735, PAGE 459, OF THE GALVESTON COUNTY DEED RECORDS, AND BEING THAT SAME TRACT AS DESCRIBED IN CONVEYANCE RECORDED UNDER GALVESTON COUNTY CLERK'S FILE NO. 2002061442, SAID 4.7016 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2 INCH IRON ROD FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF F.M. 646 (BASED ON 80' WIDE RIGHT OF WAY) WITH THE NORTH RIGHT-OF-WAY LINE OF 11TH STREET;

THENCE S 88°04'19" W ALONG AND WITH THE NORTH RIGHT-OF-WAY LINE OF 11TH STREET, BEING THE SOUTH LINE OF SAID OUTLOT 270, A DISTANCE OF 640.00 FEET TO A 5/8 INCH IRON ROD WITH CAP SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT IN THE WEST LINE OF SAID OUTLOT 270, SAME BEING THE EAST LINE OF ALTA LOMA OUTLOT 282;

THENCE N 01°55'34" W ALONG AND WITH THE WEST LINE OF SAID OUTLOT 270, SAME BEING THE EAST LINE OF SAID OUTLOT 282, A DISTANCE OF 320.00 FEET TO A 5/8 INCH IRON ROD WITH CAP SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING A POINT IN THE SOUTH LINE OF LOT 10, IN BLOCK 11, OF TRIPLE BAR ESTATES SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 10, PAGE 59, IN THE MAP RECORDS OF GALVESTON COUNTY;

THENCE N 88°04'19" E ALONG AND WITH THE NORTH LINE OF SAID SOUTH 1/2 OUTLOT 270, BEING THE SOUTH LINE OF SAID TRIPLE BAR ESTATES, A DISTANCE OF 640.00 FEET TO A 5/8 INCH IRON WITH CAP SET IN THE WEST RIGHT-OF-WAY LINE OF F.M. 646 (BASED ON 80' WIDE RIGHT OF WAY) FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 01°55'34" E ALONG AND WITH THE WEST RIGHT-OF-WAY LINE OF SAID F.M. 646 (BASED ON 80' WIDE RIGHT OF WAY), BEING THE EAST LINE OF SAID OUTLOT 270, A DISTANCE OF 320.00 FEET THE PLACE OF BEGINNING, AND CONTAINING 4.7016 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARING: GRID NORTH TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, SOUTH CENTRAL ZONE.

NORTH LINE OF 11TH STREET S 88°04'19" W

DEED REFERENCE NORTH RIGHT OF WAY LINE OF 11TH STREET = WEST

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Mary Ann Daigle

2010025171

May 27, 2010 11:20:00 AM

FEE: \$36.00

Mary Ann Daigle, County Clerk
Galveston County, TEXAS