February 21, 2020

Texas Department of Housing and Community Affairs,
a public and official department of the State of Texas
221 East 11th Street
Austin, Texas 78701

Re: Phase Engineering, Inc. Phase I Environmental Site Assessment (ESA) Report No. 202002012
NWC League Street S and Bell Street, Sulphur Springs, Hopkins County, Texas 75482

To Whom It May Concern,

This letter is to certify that the Phase I Environmental Site Assessment (the “Report”) relating to the above referenced property completed by Phase Engineering, Inc. (the “Consultant”) may be conveyed to and relied upon by Texas Department of Housing and Community Affairs as if the Report had originally been prepared for them.

The report fee is Phase Engineering, Inc.’s sole benefit and findings are not contingent on compensation from the client or its affiliates. Any person signing this report acknowledges that the Department may publish the full report on the Department's website, release the report in response to a request for public information and make other use of the report as authorized by law. Phase Engineering has read and understands the department rules regarding this report as found in 2020 Qualified Allocation Plan as codified in 10 Texas Administrative Code, Chapter 11, Subchapter D, Section 11.305: Environmental Site Assessment Rules and Guidelines.

Thank you for using the professional environmental services of Phase Engineering, Inc. If you should have any questions, please contact me at 713-476-9844.

Sincerely,

James C. Dismukes, P.E.
President
Phase Engineering, Inc.
Phase I Environmental Site Assessment

Reserve at Sulphur Springs

NWC League Street S and Bell Street, Sulphur Springs, Hopkins County, Texas 75482

February 21, 2020
PEI Project No.: 202002012

Prepared for:

MVAH partners
and
Texas Department of Housing and Community Affairs

Prepared by:

Phase Engineering, Inc.
5524 Cornish Street
Houston, Texas 77007
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</tr>
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<td>Photo Gallery</td>
<td></td>
</tr>
<tr>
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<td>VII</td>
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1.0 Executive Summary

1.1 Site Summary

<table>
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<th>SITE SUMMARY</th>
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<tbody>
<tr>
<td><strong>Site Element</strong></td>
</tr>
<tr>
<td>Subject Property Address</td>
</tr>
<tr>
<td>Current Use of Subject Property</td>
</tr>
<tr>
<td>Legal Description</td>
</tr>
<tr>
<td>Current Owner</td>
</tr>
</tbody>
</table>
| Current Uses of Adjoining Properties: | North: Undeveloped land and Hopkins Place  
East: League Street South, single family residential properties and undeveloped land  
South: Undeveloped land  
West: Cameron Square Apartment Homes, Roackdale Road and undeveloped land |
| Site Reconnaissance Date | February 17, 2020 |

**Physical Setting**

- **Topography**
  - Elevation: Approximately 530 feet above mean sea level (msl)
  - General Area Topographic Downgradient: east
- **Groundwater Flow Direction**
  - assumed to be consistent with topographic gradient
  - (See Section 5.3 for more information)
- **Depth to Groundwater**
  - Approximately 7-13 feet below ground surface (bgs)
- **Sub-Surface Geology**
  - Eocene) Wilcox Group (Ewi)
- **Underlying Aquifer(s)**
  - Carrizo-Wilcox Aquifer
- **Near Surface Soils**
  - FrB - Freestone fine sandy loam, 1 to 3 percent slopes and CrB - Crockett loam, 1 to 3 percent slopes

**Historical Use Subject Property**

<table>
<thead>
<tr>
<th>Year Range</th>
<th>Property Use(s)</th>
<th>Aerial Photos</th>
<th>Topo Maps</th>
<th>Fire Insurance Maps</th>
<th>Street Directories</th>
<th>Interviews</th>
<th>Regulatory Files / Prior Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Early-1940s to mid-1960s</td>
<td>Undeveloped land</td>
<td>✔</td>
<td>✔</td>
<td></td>
<td></td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Late-1970s to present</td>
<td>Agricultural related improvements and undeveloped land</td>
<td>✔</td>
<td>✔</td>
<td></td>
<td></td>
<td>✔</td>
<td></td>
</tr>
</tbody>
</table>

**Historical Use Adjoining Properties**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Historical Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Adjoining Property</td>
<td>Residences and undeveloped land</td>
</tr>
<tr>
<td>East Adjoining Property</td>
<td>League Street, residences and undeveloped land</td>
</tr>
<tr>
<td>South Adjoining Property</td>
<td>Agricultural related improvement and undeveloped land</td>
</tr>
</tbody>
</table>
### Historical Use Adjoining Properties

<table>
<thead>
<tr>
<th>Direction</th>
<th>Historical Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Adjoining Property</td>
<td>Rockdale Road, residences and undeveloped land</td>
</tr>
</tbody>
</table>

## 1.2 Project Summary

### ASTM Standard Considerations

<table>
<thead>
<tr>
<th>Report Section</th>
<th>No Further Action</th>
<th>REC</th>
<th>CREC</th>
<th>HREC</th>
<th>Other Environmental Considerations</th>
<th>Suggested Action</th>
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<tr>
<td>1.0 Current Use of Subject Property</td>
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<td></td>
<td></td>
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<tr>
<td>1.0 Current Use of Adjoining Properties</td>
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<td></td>
<td></td>
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<td></td>
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<tr>
<td>4.0 User Provided Information</td>
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<td></td>
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<tr>
<td>5.1 Standard Environmental Record Sources</td>
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<td>5.4.1 Historical Information on Subject Property</td>
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<td>5.4.3 Historical Information on Adjoining Properties</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>6.0 Site Reconnaissance</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>7.0 Interviews</td>
<td>✔</td>
<td></td>
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</table>

### Non-ASTM Scope Considerations

<table>
<thead>
<tr>
<th>Report Section</th>
<th>No Further Action Necessary</th>
<th>Further Action Necessary</th>
<th>Suggested Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.1 Asbestos-Containing Building Materials</td>
<td></td>
<td>✔</td>
<td>Sampling of suspect asbestos containing materials prior to any renovation and/or demolition activities</td>
</tr>
<tr>
<td>14.2 Cultural and Historical Resources</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14.3 Endangered Species</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14.4 Lead-Based Paint</td>
<td>✔</td>
<td></td>
<td>Survey of Lead-based paint is not recommended if the on-site building will be demolished per HUD regulation</td>
</tr>
<tr>
<td>Report Section</td>
<td>No Further Action Necessary</td>
<td>Further Action Necessary</td>
<td>Suggested Action</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------</td>
<td>--------------------------</td>
<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>14.5 Lead in Drinking Water</td>
<td>✓</td>
<td></td>
<td>Testing is recommended if the existing piping is to be used in new development</td>
</tr>
<tr>
<td>14.6 Radon</td>
<td>✓</td>
<td></td>
<td></td>
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<tr>
<td>14.7 FEMA Flood Map</td>
<td>✓</td>
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</tr>
<tr>
<td>14.8 Wetlands</td>
<td>✓</td>
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<td>14.9 Vapor Encroachment Screening</td>
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<td>14.10 Noise Study</td>
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<td>14.11 Explosive Hazards</td>
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1.2.1 Data Gap Summary

A data gap is a lack of or inability to obtain information required by ASTM Practice E1527-13 despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance (for example, an inability to conduct the site visit), and interviews (for example, an inability to interview the key site manager, regulatory officials, etc.).

The following table summarizes general areas of the report that may encounter data gaps during the assessment process.

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<thead>
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<th>Report Element</th>
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<th>Data Gap</th>
<th>Description of Data Gap</th>
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<td><strong>User Responsibilities</strong></td>
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<tr>
<td>Completion of User Questionnaire</td>
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<td>Land Title / Deed Records</td>
<td>5.4.1.4</td>
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<td><strong>Regulatory Agency Records</strong></td>
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<td>Standard Federal, State, Tribal and Local Records Review</td>
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<td>Aerial Photographs</td>
<td>5.4.1.1</td>
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<td>Fire Insurance Rate Maps</td>
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<td>Property Tax Records</td>
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<tr>
<td>Topographic Maps</td>
<td>5.4.1.5</td>
<td>Yes</td>
<td>No topographic maps were available for review prior to 1964</td>
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<tr>
<td>Street Directories</td>
<td>5.4.1.6</td>
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<td>Other Historical Records</td>
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<td>Historical Use of Adjoining Properties</td>
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<td><strong>Site Reconnaissance</strong></td>
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<td>Observations of Subject Property</td>
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<td>Observation of Surrounding Properties</td>
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<td><strong>Interviews</strong></td>
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<tr>
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<td>Data Gap</td>
<td>Description of Data Gap</td>
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<td>Key Property Manager</td>
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<td>Occupant(s)</td>
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<td>Past Owners / Managers / Occupants</td>
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<td>Adjoining Property Owners / Occupants</td>
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<tr>
<td>State / Local Health/ Environmental Department</td>
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<td>Yes</td>
<td>Public information response has not been received</td>
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<td>Local Fire Department</td>
<td>7.2</td>
<td>No</td>
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<tr>
<td>Local Building Permit / Inspection Department</td>
<td>7.2</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Planning / Zoning Department</td>
<td>7.2</td>
<td>No</td>
<td></td>
<td></td>
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<tr>
<td>Local Water Utility Company</td>
<td>7.2</td>
<td>No</td>
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</tbody>
</table>

### 1.3 Findings and Opinions

Known or suspect environmental conditions associated with the subject property and the environmental professional’s opinion(s) of the impact on the property of known or suspect environmental conditions identified are as follows:

**FINDING**

Debris was observed at the subject property.

**Standard Environmental Record Sources, Federal, State & Tribal**

No regulatory agency listings were found in connection with this finding.

**Records Review**

None of the records reviewed during this assessment were found to be in connection with this finding.

**Site Reconnaissance**

Empty 55 gallon drum, gas cylinder and non-hazardous debris were noted in metal barns at the subject property. No evidence of a hazardous substance or petroleum product release was noted to have been observed.

See Section 6.0 for more information regarding observations noted during the site reconnaissance.

**Interviews and/or Inquiries**
Ziggy Jewell (owner's representative) stated that

- The subject property is currently undeveloped land with dilapidated metal barns and former horse arena area. The past usage of the property was grazing pasture for cattle and horses and hay field.
- Not aware of any known environmental conditions in connection with the subject property.
- She has been associated with the property for approximately 11 years.

See Section 7.0 for more information regarding interviews and inquiries conducted during this assessment.

| **OPINION** |
|-----------------
| Phase Engineering, Inc. has the opinion that based on lack of reported releases and current site conditions, the subject property does not appear likely to have been impacted by this facility. This does not represent a recognized environmental condition. |

### 1.4 Conclusions

Phase Engineering, Inc. has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of subject property and more fully described within the report. Any exception to, or deletions from, this practice are described in Section 2.0 of the report.

Recognized environmental condition is defined in ASTM Standard E 1527-13 as “the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.” Phase Engineering, Inc. has considered all migration pathways including soil, groundwater and vapor during evaluation of all identified environmental conditions. This assessment has revealed no evidence of recognized environmental conditions in connection with the property.

A controlled recognized environmental condition (CREC) is defined in ASTM Standard E 1527-13 as “a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.” Controlled recognized environmental conditions are recognized environmental conditions. This assessment has revealed no evidence of controlled recognized environmental conditions in connection with the property.

A historical recognized environmental condition (HREC) is defined in ASTM Standard E 1527-13 as “a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.” A historical recognized environmental condition is not a recognized environmental condition. This assessment has revealed no evidence of historical recognized environmental conditions in connection with the property.
De minimis conditions are defined in ASTM Standard E 1527-13 as conditions “that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.” De minimis conditions are not recognized environmental conditions. This assessment has revealed no evidence of de minimis conditions in connection with the property.

### 1.5 Recommendations

<table>
<thead>
<tr>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following recommendation is made with respect to the environmental aspects of the subject property:</td>
</tr>
<tr>
<td>No further investigation is required to identify a recognized environmental condition.</td>
</tr>
</tbody>
</table>
2.0 Introduction

2.1 Purpose of Assignment

The purpose of this assignment is to prepare a Phase I Environmental Site Assessment Report of the subject property and more fully described in this report; to conduct All Appropriate Inquiry as defined in EPA 40 CFR Part 312, to permit the user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended in 2002; and to identify, to the extent feasible pursuant to the processes prescribed in ASTM Standard E 1527-13 recognized environmental conditions in connection with the subject property. All migration pathways and environmental media (i.e. soil, groundwater, vapor) are considered in the determination of recognized environmental conditions.

In addition, the purpose for the Phase I Environmental Site Assessment is to satisfy the environmental responsibilities for the US Department of Housing and Urban Development (HUD) pursuant to 24 CFR 50.3(i).

2.2 Scope of Work

The Phase I Environmental Site Assessment was prepared in accordance with the ASTM Standard Practice E 1527-13 for Environmental Site Assessments and the EPA Rule on All Appropriate Inquiries and within any additional limitations and deviations noted in the report. The general scope of work includes:

- Interviews with past and present owners, operators and occupants;
- Interviews with local government officials;
- Review of historical sources of information;
- Review of federal, state, tribal and local government records;
- Visual inspections of the property and adjoining properties;
- Preparation of report.

The Phase I Environmental Site Assessment does not include:

- Soil, groundwater, or building material sampling;
- Chain of title or environmental lien search;
- Any non-scope considerations, unless specifically contracted for, as listed in the ASTM Standard E 1527-13 Sections 13.1.5.1 through 13.1.5.14 (see Section 14 of this report).

2.3 Significant Assumptions

Phase Engineering, Inc. assumes there are no hidden or unapparent environmental conditions of the property, subsoil, groundwater, structures or surroundings which would have an adverse effect on the property. Phase Engineering, Inc. assumes no responsibility for such conditions or for engineering or inspections which might be required to discover such conditions.

Record and interview information furnished to Phase Engineering, Inc., and contained in the report, were obtained from sources assumed to be reliable and believed to be true and correct. However, Phase Engineering, Inc. assumes no responsibility for any inaccuracies in such items which may be revealed as a result of subsequent action, either by Phase Engineering, Inc. or others. Accuracy or completeness of record information varies among information sources, including governmental sources. Record information is often inaccurate or incomplete. Numerous sites are considered unmapped because the federal or state databases do not adequately define the address and/or location to properly plot the site using standard geo-coding processes. Unmapped sites are generally reviewed using a zip code and street name search.
Phase Engineering, Inc. is not obligated to identify mistakes or insufficiencies in information provided. Phase Engineering, Inc. will make a reasonable effort to compensate for mistakes or insufficiencies in the information reviewed that are obvious in light of other information of which Phase Engineering, Inc. has actual knowledge at the time of preparation of the report.

Groundwater flow is assumed to be in the direction of surface topography unless otherwise noted in the report.

2.4 Limitations and Exceptions of Assessment

This report is prepared in general accordance to the ASTM Standard Practice for Environmental Site Assessments in accordance with Standard E 1527-13. No non-scope items as noted in the ASTM Standards of Practice taken into consideration, except as noted.

The findings and conclusions of this report are based on Phase Engineering, Inc. professional opinions of the environmental conditions identified using the methodology described in ASTM Standard E 1527-13. If greater certainty is desired by the user of the report, further investigation beyond the scope of the ASTM Standard E 1527-13 may be necessary.

Phase Engineering, Inc. has estimated neither the cost of the impact on the property nor the costs necessary to eliminate the recognized environmental conditions.

The report was limited to information concerning the observed physical characteristics of the site and adjoining properties, interviews, and standard environmental record sources.

No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of the ASTM Standard is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and the practice recognizes reasonable limits of time and cost. The time and cost constraints as agreed to by the user or his representative may deem certain information common to the Phase I Site Assessment process to not be reasonably ascertainable or practically reviewable.

Appropriate inquiry does not mean an exhaustive assessment of a property. There is a point at which the cost of information obtained or the time required to gather it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of the transaction.

Any sketches, maps, aerial photographs, or similar documents in the report may show approximate locations, property boundaries, or similar information and are included to assist the reader in visualizing the property. Phase Engineering, Inc. has made no survey of the site.

Phase Engineering, Inc. is not required to give testimony or appear in court or in other hearings or formal discussions regarding the subject property or this assessment unless prior arrangements are made.

Phase Engineering, Inc. assumes there are no hidden or unapparent environmental conditions of the site, subsoil, structures or surroundings which would represent a recognized environmental condition. Phase Engineering, Inc. assumes no responsibility for such conditions or for actions which might be required to discover such conditions.
Information obtained from various sources is considered reliable and believed to be true and correct. Phase Engineering, Inc. will make a reasonable effort to compensate for mistakes or insufficiencies in the information reviewed that are obvious in light of other information of which Phase Engineering, Inc. has actual knowledge. Phase Engineering, Inc. assumes no responsibility for any inaccuracies in such items which may be revealed as a result of subsequent action, either by Phase Engineering, Inc. or others.

This report is prepared for the sole benefit of the user of the report and may not be relied upon by any other person or entity without the written authorization of and payment of a fee to Phase Engineering, Inc.

The report is valid for a period of 180 days from the date issued. Validity for AAI liability protections may be less. The report may not be used or updated by a third party without written authorization of and payment of a fee to Phase Engineering, Inc.

Phase Engineering, Inc. provides no legal opinion or advice. Consult a qualified attorney for any items of a legal nature.

2.5 Special Terms and Conditions

No special terms or conditions were applicable to this report.

2.6 User Reliance

This report is prepared for the sole benefit of the user of the report as identified in Section 4.0 of this report and may not be relied upon by any other person or entity without the written authorization of Phase Engineering, Inc. Each subsequent user must satisfy the User’s Responsibilities set forth in Section 6 of the ASTM Standard E 1527-13 to qualify for the landowner liability protections under CERCLA.
3.0 Site Description

3.1 Subject Property Location and Description

<table>
<thead>
<tr>
<th>Subject Property Address</th>
<th>NWC League Street S and Bell Street, Sulphur Springs, Hopkins County, Texas 75482</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Location</td>
<td>An area location map and a site sketch are located in Appendix I of this report.</td>
</tr>
<tr>
<td>Legal Description</td>
<td>Lot 1 and 4, Abstract 1102 out of the Jewell and Morris Addition (per client provided title commitment)</td>
</tr>
<tr>
<td>Current Owner(s)</td>
<td>Mahealani Ranch</td>
</tr>
</tbody>
</table>

3.2 Current Use of Subject Property

| Current Use of the Property | approximately 5.43 acres of undeveloped land with dilapidated metal barns and former horse arena |

3.3 Current Uses of Adjoining Properties

<table>
<thead>
<tr>
<th>Adjoining Property Uses</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>To the North</td>
<td>Undeveloped land and Hopkins Place</td>
</tr>
<tr>
<td>To the East</td>
<td>League Street South, single family residential properties and undeveloped land</td>
</tr>
<tr>
<td>To the South</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>To the West</td>
<td>Cameron Square Apartment Homes, Roackdale Road and undeveloped land</td>
</tr>
</tbody>
</table>

3.4 Description of Onsite Structures, Roads and Other Improvements

3.4.1 Onsite Structures

There are structures located at the subject property.

<table>
<thead>
<tr>
<th>Metal Barns</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Approximate Age</td>
<td>41</td>
</tr>
<tr>
<td>Number of Floors</td>
<td>1</td>
</tr>
<tr>
<td>Foundation Type</td>
<td>Pier-and-beam</td>
</tr>
<tr>
<td>Exterior Finish Type(s)</td>
<td>Metal</td>
</tr>
<tr>
<td>Heating Fuel Source</td>
<td>None</td>
</tr>
<tr>
<td>Description of Building Use / Occupant</td>
<td>Unoccupied metal barns for cattle and horses</td>
</tr>
</tbody>
</table>

3.4.2 Roads

The following roads were observed onsite or adjacent to the subject property:

<table>
<thead>
<tr>
<th>Road Details</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Road Name</td>
<td>Location of Road</td>
</tr>
<tr>
<td>League Street South</td>
<td>East</td>
</tr>
<tr>
<td>Road Name</td>
<td>Location of Road</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------</td>
</tr>
<tr>
<td>Rockdale Road</td>
<td>West</td>
</tr>
</tbody>
</table>

### 3.4.3 Other Improvements / Utilities at the Subject Property

The following utilities and other improvements were identified at the subject property:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Water Source</strong></td>
<td><strong>Municipal water system</strong></td>
</tr>
<tr>
<td><strong>Sanitary Sewer Source</strong></td>
<td><strong>None known or observed</strong></td>
</tr>
<tr>
<td><strong>Other Improvements</strong></td>
<td><strong>Metal shed/ barn</strong></td>
</tr>
</tbody>
</table>
4.0 User Provided Information

4.1 User Responsibilities Information

User(s) of this report: MVAH partners and Texas Department of Housing and Community Affairs

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the “Brownfields Amendments”) the user must conduct the following inquiries required by 40 CFR 312.25, 312.28, 312.29, 312.30 and 312.31. These inquiries must also be conducted by EPA Brownfield Assessment and Characterization grantees. The user should provide the following information (if available) to the environmental professional. Failure to conduct these inquiries (or where the user has not provided conclusive answers) could result in a determination that “all appropriate inquiries” is not complete.

If any user of this report desires Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001, the user should complete the “user responsibilities” included in Appendix IV.

The following information was provided by Justin Gregory - Purchaser/Developer.

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Environmental cleanup liens that are filed or recorded against the property (40 CFR 312.25).</td>
<td></td>
</tr>
<tr>
<td>Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state or local law?</td>
<td>No</td>
</tr>
<tr>
<td>2. Activity and land use (AUL's) limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26(a)(1)(v) and vi)).</td>
<td></td>
</tr>
<tr>
<td>Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place of the property and/or have been filed or recorded against the property under federal, tribal, state or local law?</td>
<td>No</td>
</tr>
<tr>
<td>3. Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).</td>
<td></td>
</tr>
<tr>
<td>Do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?</td>
<td>No</td>
</tr>
<tr>
<td>4. Relationship to the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).</td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Response</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Does the purchase price being paid for this property reasonably reflect the fair market value of the property?</td>
<td>Yes</td>
</tr>
<tr>
<td>If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?</td>
<td>N/A</td>
</tr>
</tbody>
</table>

5. Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).

Are you aware of commonly known or reasonably ascertainable information about the property that would help Phase Engineering, Inc. to identify conditions indicative of releases or threatened releases? For example, as user,

(a.) Do you know the past uses of the property? | No      |
(b.) Do you know of specific chemicals that are present or once were present at the property? | No      |
(c.) Do you know of spills or other chemical releases that have taken place at the property? | No      |
(d.) Do you know of any environmental cleanups that have taken place at the property? | No      |

6. The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).

As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property? | No      |

4.2 Reason for Performing Phase I

As per ASTM Standard E 1527-13, it is the user’s responsibility to identify the reason for performing the Environmental Site Assessment, which may include, among other reasons, the intention to satisfy one of the requirements to qualify for one of the landowner liability protections under CERCLA. If no reason for performing the Environmental Site Assessment is provided by the user, it is assumed the report is to conduct all appropriate inquiry to satisfy one of the landowner liability protections under CERCLA.
## 5.0 Records Review

### 5.1 Standard Environmental Record Sources, Federal, State & Tribal

The following federal, state and tribal environmental records were searched. This information was provided by AAI Environmental Data and is subject to the AAI Data Disclaimer. Full descriptions on the search and facilities located are included in the Appendix. The AAI Data summary is as follows:

<table>
<thead>
<tr>
<th>Source</th>
<th>Environmental Record</th>
<th>ASTM Search Distance (miles)</th>
<th>Subject Property</th>
<th>Adjoining Property</th>
<th>1/2 Mile</th>
<th>1 Mile</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Sites</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EPA SEMS**</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>EPA RCRA***</td>
<td>Adjoining*</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>EPA RCRA TSDF</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>EPA RCRA CORRACT</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>NRC ERNS</td>
<td>Subject Property</td>
<td>0</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>State and Tribal Sites</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TCEQ SPL (NPL/CERCLIS)</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TCEQ MSW</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>-</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>TCEQ CLI</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TCEQ AST</td>
<td>Adjoining*</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TCEQ UST</td>
<td>Adjoining*</td>
<td>0</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>TCEQ LPST</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>-</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>TCEQ RDR</td>
<td>Adjoining*</td>
<td>0</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>TCEQ IOP</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TCEQ VCP</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>RRC TX RRC-VCP</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TCEQ BROWNFIELD</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TCEQ IHW</td>
<td>Adjoining*</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TCEQ IHWCA</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>RRC TX RRC-BRP</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Supplemental Databases</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TCEQ MSD</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TCEQ DCR</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TCEQ DCRP</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>NRC ACRES</td>
<td>0.500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

*Adjoining properties are defined as being within a search radius of 0.25 mi. from the subject property boundaries.

**SEMS includes CERCLIS, NPL, NPL delisted, NFRAP, and IC/EC

***RCRA includes RCRA and IC/EC

### UNGEOCODED SITES

<table>
<thead>
<tr>
<th>Environmental Records</th>
<th>ASTM Search Distance (miles)</th>
<th>Total Identified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal / State/ Tribal</td>
<td>Subject Property - 1.0 mile</td>
<td>None</td>
</tr>
</tbody>
</table>
Ungeoded Sites

Numerous sites / facilities are considered ungeoded because the federal, state or local databases do not adequately define or represent the address and/or location to properly plot the site using standard geo-coding processes. Ungeoded sites are generally reviewed using a zip code and street name search.

There were no ungeoded sites identified under this assessment.

Superfund Enterprise Management System (SEMS)

Effective January 31, 2014, the Superfund program decommissioned CERCLIS and transitioned to the Superfund Enterprise Management System (SEMS). CERCLIS (Comprehensive Environmental Response, Compensation and Liability Information System) was a database used by the U.S. Environmental Protection Agency (EPA) to track activities under its Superfund program. The reports previously generated by the CERCLIS legacy system are now updated with SEMS – the Superfund Enterprise Management System – and include the same data and content. This database is the source for CERCLIS, NPL, NPL Delisted, NFRAP and IC/EC.

CERCLIS (Comprehensive Environmental Response, Compensation and Liability Information System)

The CERCLIS List previously contained sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL. The information on each site included a history of all pre-remedial, remedial, removal and community relations activities or events at the site, financial funding information for the events, and unrestricted enforcement activities.

CERCLIS NFRAP(Comprehensive Environmental Response, Compensation and Liability Information System / No Further Remedial Action Planned)NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly, or the contamination was not serious enough to require Federal Superfund action, CERCLA or NPL consideration.

NPL (National Priority List)
The NPL list compiled by EPA pursuant to CERCLA 42 U.S.C. § 9605(a)(8)(B) of properties with the highest priority for cleanup pursuant to EPA’s Hazard Ranking System. See 40 C.F.R. Part 300.

NPL Delisted (National Priority List - Delisted)
Deletion of sites from the NPL may occur once all response actions are complete and all cleanup goals have been achieved. EPA is responsible for processing deletions with concurrence from the State. Deleted sites may still require five-year reviews to assess protectiveness. If future site conditions warrant, additional response actions can be taken, using the Superfund Trust Fund or by Potentially Responsible Parties. Relisting on the NPL is not necessary; however, sites can be restored to the NPL if extensive response work is required. EPA can also delete portions of sites that meet deletion criteria.

Federal Institutional Control / Engineering Control (IC / EC) Registries

Land Use Controls (LUCs) - Land Use controls may consist of Institutional Controls (ICs) and Engineering Controls (ECs). LUCs help to minimize the potential for exposure to contamination and/or protect the integrity of a response action and are typically designed to work by limiting land and/or resource use or by providing information that helps modify or guide human behavior at a site. Institutional Controls (ICs) are non-engineering measures and are almost always used in conjunction with, or as a supplement to, other measures such as waste treatment or containment. There are four categories of ICs: Governmental
Resource Conservation and Recovery Act (RCRA) Corrective Action Facilities (CORRACTS)

Hazardous waste treatment, storage, or disposal facilities and other RCRA-regulated facilities (due to past interim status or storage of hazardous wastes beyond 90 days) that have been notified by the U.S. Environmental Protection Agency to undertake corrective action under RCRA. The CORRACTS list is a subset of the EPA database that manages RCRA data.

Resource Conservation and Recovery Act (RCRA) Non-CORRACTS Hazardous Waste Treatment, Storage, and Disposal Facilities (TSD)

Those facilities on which treatment, storage and / or disposal of hazardous wastes takes place, as defined and regulated by RCRA.

Resource Conservation and Recovery Act (RCRA) Generators of Hazardous Wastes

RCRA Resource Conservation and Recovery Act Information - RCRAInfo is the U.S. Environmental Protection Agency's comprehensive information and inventory system that supports the RCRA (1976) and HSWA (1984) through the tracking of events and activities regarding permit/closure status, compliance with Federal and State regulations and cleanup activities at facilities that generate, treat, store or dispose of hazardous waste. Information on cleaning up after accidents or other activities that result in a release of hazardous materials to the water, air or land is also reported through RCRAInfo. Corrective Action is a requirement under RCRA which requires TSD facilities owners and operators to investigate and cleanup hazardous waste releases into soil, groundwater, surface water and air.

Emergency Response Notification System (ERNS)

The ERNS program is a cooperative data sharing effort among the Environmental Protection Agency (EPA) Headquarters, the Department of Transportation (DOT), National Transportation Systems Center (NTSC), the ten EPA Regions, the U.S. Coast Guard (USCG), and the National Response Center (NRC). ERNS provide the most comprehensive data compiled on notifications of oil discharges and hazardous substances releases in the United States. The types of release reports that are available in ERNS fall into three major categories: substances designated as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; oil and petroleum products (Clean Water Act of 1972), as amended by the Oil Pollution Act of 1990; and all other types of materials. EARNs is a database of initial notifications and not incidents, so there are limitations to the data. There may be multiple reports for a single incident, and because reports are taken over the phone, misspellings, and locational information limit the quality of some data.

State / Tribal Equivalent - National Priority List (NPL)

This list is the state / tribal equivalent to the EPA NPL list.
State / Tribal Equivalent Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) (SCL)

This list is the state / tribal equivalent to the EPA CERCLIS list.

State / Tribal Voluntary Cleanup Program Sites

List of state / tribal sites undergoing investigation, remediation and / or response action under the applicable state / tribal environmental regulatory agency.

Solid Waste Landfills (SWLF)

List of landfills, transfer stations, sludge application sites, illegal dump sites, recycling facilities, and medical waste generators and transporters.

Leaking Petroleum Storage Tank Sites (LPST)

State lists of leaking underground storage tank sites. RCRA gives EPA and states, under cooperative agreements with the EPA, authority to cleanup releases from UST systems or require owners and operators to do so. (42 U.S.C. § 6991b).

Registered Storage Tanks

Underground storage tanks (USTs) - Any tank, including underground piping connected to the tank, that is or has been used to contain hazardous substances or petroleum products and the volume of which is 10% or more beneath the surface of the ground.

Aboveground storage tanks (ASTs) - Any tank, including aboveground piping connected to the tank, that is or has been used to contain hazardous substances or petroleum products and the volume of which is 90% or more above the surface of the ground.

State / Tribal Institutional Control / Engineering Control Registries

Engineering Controls (EC) – Physical modifications to a site or facility (for example, capping, slurry walls, or point of use water treatment) to reduce or eliminate the potential for exposure to hazardous substances or petroleum products in the soil or groundwater on the property. Engineering controls are a type of activity and use limitation (AUL).

Institutional Controls (IC) – A legal or administrative restriction (for example, “deed restrictions,” restrictive covenants, easements, or zoning) on the use of, or access to, a site or facility to (1) reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil or ground water on the property, or (2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. An institutional control is a type of Activity and Use Limitation (AUL).

IC / EC Registries – Databases of institutional controls or engineering controls that may be maintained by a federal, state or local environmental agency for purposes of tracking sites that may contain residual contamination and AULs. The names for these may vary from program to program and state to state.

Federal / State / Tribal Brownfields

Federal - ACRES Assessment, Cleanup and Redevelopment Exchange System (EPA Brownfield)

The EPA’s ACRES database stores information reported by EPA Brownfields Grantees on Brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. Recipients are awarded EPA Brownfields funding to address
hazardous substances and/or petroleum contamination at brownfield properties. The EPA’s Brownfields Program is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields.

**State / Tribal - Brownfields Site Assessments (BSA)**

The BSA Program administers a grant provided by the EPA to perform Brownfields site assessment for local governments and non-profit organizations who are not responsible parties. State and local agencies work in close partnership with the EPA and other federal, state, and local redevelopment agencies, and stakeholders, to facilitate cleanup, transfer and revitalization of Brownfields through the development of regulatory, tax, and technical assistance tools.

**Sites Found:**

<table>
<thead>
<tr>
<th>Map ID#</th>
<th>Type</th>
<th>Facility ID#</th>
<th>Facility Name</th>
<th>Address</th>
<th>Distance (mi) / Direction</th>
<th>Apparent Impact to Subject Property</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>UST</td>
<td>12114</td>
<td>JOE BOBS 2</td>
<td>597 LEAGUE ST S SULPHUR SPRINGS, TX 75482</td>
<td>0.1 N</td>
<td>No</td>
<td>Distance</td>
</tr>
<tr>
<td>2</td>
<td>RDR</td>
<td>421</td>
<td>JOE BOB’S STORE #2</td>
<td>597 S LEAGUE SULPHUR SPRINGS, TX</td>
<td>0.1 N</td>
<td>No</td>
<td>Distance</td>
</tr>
<tr>
<td>3</td>
<td>SEMS</td>
<td>TXD98069782</td>
<td>SULPHUR SPRINGS LANDFILL</td>
<td>1 1/4 MI N OF MARTIN SPRINGS SULPHUR SPRINGS, TX 75482</td>
<td>0.31 E</td>
<td>No</td>
<td>Distance</td>
</tr>
<tr>
<td>4</td>
<td>MSW</td>
<td>47015</td>
<td>BRIGHT STAR ORGANICS INC</td>
<td>RR 8 BOX 729 SULPHUR SPRINGS, TX 75482</td>
<td>0.31 E</td>
<td>No</td>
<td>Distance</td>
</tr>
<tr>
<td>5</td>
<td>LPST</td>
<td>119460</td>
<td>E-Z MART 327</td>
<td>1313 LEAGUE ST S SULPHUR SPRINGS, TX</td>
<td>0.37 S</td>
<td>No</td>
<td>Distance</td>
</tr>
<tr>
<td>6</td>
<td>LPST</td>
<td>105661</td>
<td>GULF EXAM MOTORS</td>
<td>515 INDUSTRIAL DR W SULPHUR SPRINGS, TX</td>
<td>0.49 SE</td>
<td>No</td>
<td>Distance</td>
</tr>
</tbody>
</table>
### Site Summary Table

<table>
<thead>
<tr>
<th>Map ID#</th>
<th>Type</th>
<th>Facility ID#</th>
<th>Facility Name</th>
<th>Address</th>
<th>Distance (mi) / Direction</th>
<th>Apparent Impact to Subject Property</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>SEMS</td>
<td>TXD98803304</td>
<td>DEMPCO PAINT &amp; MANUFACTURING CO., INC.</td>
<td>203 LOCUST SULPHUR SPRINGS, TX 75482</td>
<td>0.8 NE</td>
<td>No</td>
<td>Distance</td>
</tr>
</tbody>
</table>

### Summary of Critical Identified Sites

None of the sites listed on the database are the subject property or an adjoining property. There is no indication that the sites identified in the ASTM Standard Environmental Record Sources search have had or will have an environmental impact to the subject property. Phase Engineering, Inc. has the opinion that, based on distance, direction, status or other justifications, it does not appear the subject property has been impacted from these facilities.

Phase Engineering, Inc. has made an attempt to review regulatory agency files to determine if the subject property or any of the adjoining properties have been identified on one or more of the standard environmental record sources per ASTM Standard Practice E 1527-13 Section 8.2.1. The purpose of the regulatory file review is to obtain sufficient information to assist the environmental professional in determining if a recognized environmental condition, historical recognized environmental condition, controlled recognized environmental condition or a de minimis condition exists at the subject property in connection with the listing. Phase Engineering, Inc. has provided copies of the relevant reviewed regulatory agency file information in Appendix III of this report. If this information has been determined to be of a file size that is impractical to provide in Appendix III, then this information will be provided at the request of the user of this report under separate cover. Some of the regulatory documentation has been deemed not to be reasonably ascertainable due to (1) information that is not publically available, (2) information that is not obtainable from its source within reasonable time and cost constraints, and (3) information that is not practicably reviewable (ASTM Standard Practice E 1527-13 Section 8.1.4). If a regulatory agency file review is not warranted or is not reasonably ascertainable, then Phase Engineering, Inc. has provided an explanation within this report for not conducting the applicable regulatory agency file review.

### 5.2 Additional Environmental Record Sources

To enhance and supplement the ASTM E1527-13 standard environmental record sources specified in 8.2.1, local records and/or additional state or tribal records shall be checked when, in the judgment of the environmental professional, such additional records (1) are reasonably ascertainable, (2) are sufficiently useful, accurate and complete in light of the objective of the records review (see 8.1.1), and (3) are generally obtained, pursuant to local good commercial or customary practice, in initial environmental site assessments in the type of commercial real estate transaction involved. To the extent additional sources are used to supplement the same record types listed specified in 8.2.1, approximate minimum search distances should not be less than those specified above (adjusted as provided in 8.2.1 and 8.1.2.1). Phase Engineering has reviewed additional environmental record sources and has included these sources in this report when the record sources were reasonably ascertainable, sufficiently useful and generally obtained, pursuant to local good commercial or customary practice.
5.3 Physical Setting Sources

The following physical setting sources were searched and no environmental problems due to geologic, hydrogeologic, hydrologic, or topographic characteristics of the subject property were noted nor were conditions identified in which hazardous substances or petroleum products were likely to migrate to the property or from or within the property into the groundwater or soil except as noted. A copy of each source is included in Appendix I of this report.

<table>
<thead>
<tr>
<th>Topographic and Hydrogeologic Settings</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Source Name</strong></td>
</tr>
<tr>
<td>USGS 7.5 Minute Topographic Map Sulphur Springs SE and Sulphur Springs, Texas 2019</td>
</tr>
<tr>
<td>Current USGS Topographic Map</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Groundwater Information**

<table>
<thead>
<tr>
<th>Source</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas Water Development Board (TWDB) Submitted Driller's Database</td>
<td>Depth: 7-13 feet below ground surface (bgs)</td>
</tr>
<tr>
<td></td>
<td>Hydraulic Direction: assumed to be consistent with topographic gradient</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Geologic Formation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Formation Name</strong></td>
</tr>
<tr>
<td>Eocene) Wilcox Group (Ewi)</td>
</tr>
</tbody>
</table>

### Underlying Aquifer(s)

<table>
<thead>
<tr>
<th>Aquifer Name</th>
<th>Aquifer Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carrizo-Wilcox Aquifer</td>
<td>&quot;The Carrizo-Wilcox Aquifer is a major aquifer extending from the Louisiana border to the Mexican border in a wide band adjacent to and northwest of the Gulf Coast Aquifer. It consists of the Wilcox Group and the overlying Carrizo Formation of the Claiborne Group. The aquifer is primarily composed of sand locally interbedded with gravel, silt, clay, and lignite. Although the Carrizo-Wilcox Aquifer reaches 3,000 feet in thickness, the freshwater saturated thickness of the sands averages 670 feet. The groundwater, although hard, is generally fresh and typically contains less than 500 milligrams per liter of total dissolved solids in the outcrop, whereas softer groundwater with total dissolved solids of more than 1,000 milligrams per liter occurs in the subsurface. High iron and manganese content in excess of secondary drinking water standards is characteristic in the deeper subsurface portions of the aquifer, and portions of the aquifer in the Winter Garden area are slightly to moderately saline, with total dissolved solids ranging from 1,000 to 7,000 milligrams per liter. Irrigation pumping accounts for just over half the water pumped, and pumping for municipal supply accounts for another 40 percent. Water level declines have occurred in the Winter Garden area due to irrigation pumping and in the northeastern part of the aquifer due to municipal pumping. The planning groups recommended several water management strategies that use the Carrizo-Wilcox Aquifer, including developing new wells and well fields, withdrawing additional water from existing wells, desalinating brackish water, using surface water and groundwater conjunctively, reallocating supplies, and transporting water over long distances.&quot;</td>
</tr>
</tbody>
</table>

**Definition Source:** Texas Major Aquifers Geodatabase (Updated December, 2006): Texas Water Development Board (TWDB) GIS Data, [http://www.twdb.state.tx.us/mapping/gisdata](http://www.twdb.state.tx.us/mapping/gisdata) and Texas Water Development Board, Water for Texas 2007, Chapter 7 Groundwater Resources, pg. 176-238 [http://www.twdb.state.tx.us/wrpi/swp/swp.htm](http://www.twdb.state.tx.us/wrpi/swp/swp.htm)

### Flood Zone(s)

<table>
<thead>
<tr>
<th>Zone Designation</th>
<th>Zone Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone X (Unshaded)</td>
<td>Minimal risk areas outside the 1-percent and .2-percent-annual-chance floodplains. No BFEs or base flood depths are shown within these zones. (Zone X (unshaded) is used on new and revised maps in place of Zone C.)</td>
</tr>
</tbody>
</table>

**Source:** Federal Emergency Management Agency (FEMA) Hopkins County, Texas Flood Insurance Rate Map (FIRM).

This data was obtained from the most current FEMA information available online. Actual flood elevation should be obtained by a qualified survey or other professional.

During a flood event, the potential exists for the migration of hazardous substances and/or petroleum products to and/or from the subject property.
## Near Surface Soils

<table>
<thead>
<tr>
<th>Soil Name(s)</th>
<th>Soil Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>FrB - Freestone fine sandy loam, 1 to 3 percent slopes</td>
<td>The Freestone component makes up 100 percent of the map unit. Slopes are 1 to 3 percent. This component is on stream terraces on inland dissected coastal plains. The parent material consists of loamy alluvium of Quaternary age derived from mixed sources. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches (or restricted depth) is moderate. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 33 inches during January, February, March, April, May, December. Organic matter content in the surface horizon is about 1 percent. This component is in the F133BY029TX Quercus Alba-pinus Taeda/callicarpa Americana/chasmanthium Sessiliflorum ecological site. Nonirrigated land capability classification is 2e. This soil does not meet hydric criteria. There are no saline horizons within 30 inches of the soil surface.</td>
</tr>
<tr>
<td>CrB - Crockett loam, 1 to 3 percent slopes</td>
<td>The Crockett component makes up 100 percent of the map unit. Slopes are 1 to 3 percent. This component is on ridges on inland dissected coastal plains. The parent material consists of residuum weathered from shale of Tertiary age. Depth to a root restrictive layer inches , bedrock, densic,. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is low. Available water to a depth of 60 inches (or restricted depth) is moderate. Shrink-swell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 1 percent. This component is in the R086AY200TX Claypan Prairie 28-40&quot; Pz ecological site. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria. The calcium carbonate equivalent within 40 inches, typically, does not exceed 18 percent. There are no saline horizons within 30 inches of the soil surface. The soil has a maximum sodium adsorption ratio of 7 within 30 inches of the soil surface.</td>
</tr>
</tbody>
</table>


### 5.4 Historical Use Information

Historical sources were consulted to develop a history of the previous uses of the property and the surrounding area, in order to help identify the likelihood of past uses having led to recognized environmental conditions in connection with the property. All obvious uses of the property were identified from the present, back to the property’s obvious first developed use, or back to 1940, whichever is earlier as per ASTM E 1527-13, Section 8.1.4, Reasonably Ascertainable / Standard Sources.

#### 5.4.1 Standard Historical Sources

The following historical sources were consulted to determine prior usage and potential areas of environmental problem areas:
### 5.4.1.1 Aerial Photographs

Aerial photographs were reviewed for use which would indicate areas of environmental concern. The aerial photographs did not indicate any usage except as noted in this report and are included in Appendix I. The following aerial photographs were reviewed as part of this assessment:

<table>
<thead>
<tr>
<th>Aerial Photograph Year(s)</th>
<th>Improvement Type(s)</th>
<th>Identified Area(s) of Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subject Property</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>improvements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Electrical easement related</td>
<td></td>
</tr>
<tr>
<td></td>
<td>improvements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>improvements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Electrical easement related</td>
<td></td>
</tr>
<tr>
<td></td>
<td>improvements</td>
<td></td>
</tr>
<tr>
<td>1964, 1958, 1949, 1942</td>
<td>No improvements</td>
<td>Surface water feature</td>
</tr>
<tr>
<td><strong>North Property</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018, 2016, 2012, 2010</td>
<td>Residential improvements</td>
<td>No areas of concern</td>
</tr>
<tr>
<td>2008, 2004</td>
<td>Residential improvements</td>
<td>No areas of concern</td>
</tr>
<tr>
<td></td>
<td>Electrical easement related</td>
<td></td>
</tr>
<tr>
<td></td>
<td>improvements</td>
<td></td>
</tr>
<tr>
<td><strong>East Property</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1979, 1964, 1958, 1949, 1942</td>
<td>No improvements</td>
<td>No areas of concern</td>
</tr>
<tr>
<td>Aerial Photograph Year(s)</td>
<td>Improvement Type(s)</td>
<td>Identified Area(s) of Concern</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>South Property</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018, 2016, 2012, 2010</td>
<td>No improvements</td>
<td>No areas of concern</td>
</tr>
<tr>
<td>1958</td>
<td>Agricultural operation related improvements</td>
<td>No areas of concern</td>
</tr>
<tr>
<td>1949, 1942</td>
<td>No improvements</td>
<td>No areas of concern</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Aerial Photograph Year(s)</th>
<th>Improvement Type(s)</th>
<th>Identified Area(s) of Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Property</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018, 2016, 2012, 2010</td>
<td>Residential improvements</td>
<td>No areas of concern</td>
</tr>
<tr>
<td>1964, 1958</td>
<td>No improvements</td>
<td>Surface water feature</td>
</tr>
<tr>
<td>1949, 1942</td>
<td>No improvements</td>
<td>No areas of concern</td>
</tr>
</tbody>
</table>

### 5.4.1.2 Fire Insurance Maps

In the late nineteenth century, public entities and private companies began preparing maps of central business districts and other developed corridors for use by fire insurance companies and governmental fire regulatory programs. These maps were updated and expanded geographically periodically throughout the twentieth century. The maps often indicate construction materials of specific building structures and the location of potential fire hazards such as gasoline tanks.

Fire insurance rate map coverage was not available for the subject property area.

### 5.4.1.3 Property Tax Files

Hopkins County Appraisal District tax records show that the subject property is owned by Mahealani Ranch. The property tax records are located in the Appendix.

### 5.4.1.4 Land Title Records & Environmental Lien Searches

A title commitment prepared by Chicago Title Insurance Company, dated November 22, 2019 was provided by the user of this report. An easement and right-of-way was granted at the subject property in favor of Lone Star Gas Company dated June 1927. No other recorded environmental liens, environmentally related activity, use limitations (AULs) or other environmental concerns were noted in the title commitment. A portion of the title commitment is located in the Appendix.

No recorded Institutional Controls or Engineering Controls (IC / EC) or Activity Use Limitations (AULs) were found as part of research of federal and state agencies.
5.4.1.5 USGS 7.5 Minute Topographic Map

Topographic maps were reviewed for use which would indicate areas of environmental concern. The topographic maps did not indicate any usage except as noted in this report and are included in Appendix I. The following topographic maps were reviewed for this assessment:

<table>
<thead>
<tr>
<th>TOPOGRAPHIC MAPS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
<td>Indication of Environmental Concerns</td>
</tr>
<tr>
<td>2019, 2016, 1964</td>
<td>No areas of environmental concern were shown on the subject property or adjoining properties.</td>
</tr>
</tbody>
</table>

5.4.1.6 Local Street Directories

Due to the current and historical identified usage of the subject property and adjoining properties as residential property and undeveloped land, street directories were not reviewed for this assessment.

5.4.1.7 Other Historical Records

According to ASTM E 1527-13, other historical sources not already addressed in the standard include but are not limited to: Miscellaneous maps, newspaper archives, internet sites, community organizations, local libraries, historical societies and current owners or occupants of neighboring properties. No other historical records were reviewed for subject property, except for the following:

<table>
<thead>
<tr>
<th>Oil and Gas Well Map</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item of Concern</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
</tr>
<tr>
<td>Oil / gas well(s)</td>
</tr>
<tr>
<td>Plugged well(s)</td>
</tr>
<tr>
<td>Permitted location(s)</td>
</tr>
<tr>
<td>Dry hole(s)</td>
</tr>
<tr>
<td>Pipeline(s)</td>
</tr>
<tr>
<td>Other notable features</td>
</tr>
<tr>
<td><strong>Adjoining Properties</strong></td>
</tr>
<tr>
<td>Oil / gas well(s)</td>
</tr>
<tr>
<td>Plugged well(s)</td>
</tr>
<tr>
<td>Permitted location(s)</td>
</tr>
<tr>
<td>Dry hole(s)</td>
</tr>
<tr>
<td>Pipeline(s)</td>
</tr>
<tr>
<td>Other notable features</td>
</tr>
</tbody>
</table>

The Texas Railroad Commission (RRC) map was reviewed for this assessment. Other water well map sources may be available for review. See map in Appendix I.

<table>
<thead>
<tr>
<th>Water Well Map</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item of Concern</td>
</tr>
<tr>
<td>------------------</td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
</tr>
</tbody>
</table>
### Water Well Map

<table>
<thead>
<tr>
<th>Item of Concern</th>
<th>Feature Present?</th>
<th>Details of Identified Feature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water well(s)</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Monitoring well(s)</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Plugged well(s)</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Other notable features</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

### Adjoining Properties

<table>
<thead>
<tr>
<th>Item of Concern</th>
<th>Feature Present?</th>
<th>Details of Identified Feature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water well(s)</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Monitoring well(s)</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Plugged well(s)</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Other notable features</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

The Texas Water Development Board (TWDB) map was reviewed for this assessment. Other water well map sources may be available for review. See map in Appendix I.

### 5.4.1.8 Prior Assessment Usage

Standard historical sources reviewed as part of a prior environmental site assessment do not need to be searched for or reviewed again, but uses of the property since the prior environmental site assessment should be identified either through standard historical sources (as specified in ASTM E1527-13 Section 8.3) or by alternatives to standard historical sources, to the extent such information is reasonably ascertainable (as specified in ASTM E1527-13 Section 4.7).

No prior environmentally related reports were provided and/or reviewed as part of this assessment.

### 5.4.2 Summary of Historical Information on Subject Property

Phase Engineering, Inc. has conducted thorough research including site observations, regulatory records review and review of reasonably ascertainable standard and other historical sources to determine current and past uses of the subject property. Standard and historical sources used to make these determinations include aerial photographs; topographic maps, city directories (if coverage is available); and/or, fire insurance rate maps (if coverage is available). The following are summaries of the subject property use:

### Historical Use Subject Property

<table>
<thead>
<tr>
<th>Year Range</th>
<th>Property Use(s)</th>
<th>Aerial Photos</th>
<th>Topo Maps</th>
<th>Fire Insurance Maps</th>
<th>Street Directories</th>
<th>Interviews</th>
<th>Regulatory Files / Prior Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Early-1940s to mid-1960s</td>
<td>Undeveloped land</td>
<td>✔️</td>
<td>✔️</td>
<td></td>
<td></td>
<td>✔️</td>
<td></td>
</tr>
<tr>
<td>Late-1970s to present</td>
<td>Agricultural related improvements and undeveloped land</td>
<td>✔️</td>
<td>✔️</td>
<td></td>
<td></td>
<td>✔️</td>
<td></td>
</tr>
</tbody>
</table>
5.4.3  Summary of Historical Use Information on Adjoining Properties

Phase Engineering, Inc. has conducted thorough research including site observations, regulatory records review and review of reasonably ascertainable standard and other historical sources to determine current and past uses of adjoining properties. Standard and historical sources used to make these determinations include aerial photographs; topographic maps, city directories (if coverage is available); and / or, fire insurance rate maps (if coverage is available). The following are summaries of each adjoining property use:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Historical Use Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Adjoining Property</td>
<td>Residences and undeveloped land</td>
</tr>
<tr>
<td>East Adjoining Property</td>
<td>League Street, residences and undeveloped land</td>
</tr>
<tr>
<td>South Adjoining Property</td>
<td>Agricultural related improvement and undeveloped land</td>
</tr>
<tr>
<td>West Adjoining Property</td>
<td>Rockdale Road, residences and undeveloped land</td>
</tr>
</tbody>
</table>

Summary of Environmental Concerns Identified During Historical and Other Records Review

No areas of environmental concern were identified for the subject property or adjoining property in any of the records reviewed for this assessment.
6.0 Site Reconnaissance

6.1 Objective

The objective of the site reconnaissance is to obtain information indicating the likelihood of identifying recognized environmental conditions in connection with the subject property.

6.2 Observation, Methodology and Limiting Conditions

The property was visually and/or physically observed and any structure(s) located on the property to the extent not obstructed by bodies of water, adjacent buildings, or other obstacles was observed.

The periphery of the property was visually and/or physically observed, as well as the periphery of all structures on the property, and the property was viewed from all adjacent public thoroughfares.

On the interior of structures on the property, accessible common areas expected to be used by occupants or the public, maintenance and repair areas, including boiler rooms, and a representative sample of occupant spaces, were visually and/or physically observed. Areas beneath the floors, above ceilings, or behind walls were not observed unless additional services beyond the scope of work of ASTM E1527-13 were contracted for.

On February 17, 2020, the subject property was visually and physically observed and walked by Zahir Jamal of Phase Engineering, Inc. The environmental professional(s) responsible for this report, or a trained and qualified individual under their responsible charge, visually and physically observed the property and any structure(s) located on the property to the extent not obstructed by dense vegetation, bodies of water, adjoining buildings, and other obstacles.

100% visual and physical observation to the extent required by the ASTM Standard E1527-13.

The following limiting conditions were identified during the site reconnaissance:

<table>
<thead>
<tr>
<th>Limiting Condition(s)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation / landscaping</td>
<td>✓</td>
</tr>
<tr>
<td>Concrete / asphalt pavement</td>
<td></td>
</tr>
<tr>
<td>Stabilized gravel base</td>
<td></td>
</tr>
<tr>
<td>Pre-existing former building slabs</td>
<td></td>
</tr>
<tr>
<td>Existing buildings</td>
<td>✓</td>
</tr>
<tr>
<td>Surface water features</td>
<td>✓</td>
</tr>
<tr>
<td>Heavy equipment / existing inventory</td>
<td></td>
</tr>
<tr>
<td>Boundary fences / walls</td>
<td>✓</td>
</tr>
<tr>
<td>Accumulation of snow or rainwater</td>
<td></td>
</tr>
<tr>
<td>Inaccessible onsite building interior</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
</tbody>
</table>

*Limiting condition is checked if present.

6.3 Frequency

A single site visit was performed in connection with the Phase I Environmental Site Assessment on February 17, 2020.
6.4 Uses and Conditions

The uses and conditions should be noted to the extent visually and/or physically observed during the site visit. The uses and conditions should also be the subject of questions asked as part of interviews of owners, operator, and occupants. Uses and condition shall be described in the report. The environmental professional(s) performing the Phase I Environmental Site Assessment are obligated to identify uses and conditions only to the extent that they may be visually and/or physically observed on a site visit or to the extent that they are identified by the interviews.

Photographs of the subject property, adjoining properties and other key observed features are located in the appendix of this report.

The subject property was observed to be addressed as NWC League Street S and Bell Street, Sulphur Springs, Texas and the current use(s) was/were observed to be approximately 5.43 acres of undeveloped land with dilapidated metal barns and former horse arena.

The following table summarizes addresses and general uses observed for the adjoining properties.

### Adjoining Property Details

<table>
<thead>
<tr>
<th>Direction</th>
<th>Observed Address / Address Range</th>
<th>General Observed Use(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>890 Camp Street</td>
<td>Assisted living facility</td>
</tr>
<tr>
<td>North</td>
<td>Address not posted</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>East</td>
<td>620 League Street South</td>
<td>Single family residential property</td>
</tr>
<tr>
<td>East</td>
<td>617-641 (odd) League Street South</td>
<td>Single family residential properties</td>
</tr>
<tr>
<td>East</td>
<td>Address not posted</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>East</td>
<td>828 Bell Street</td>
<td>Unoccupied residential property</td>
</tr>
<tr>
<td>South</td>
<td>Address not posted</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>West</td>
<td>920 and 930 Cameron Square</td>
<td>Apartment homes</td>
</tr>
<tr>
<td>West</td>
<td>Address not posted</td>
<td>Undeveloped land</td>
</tr>
</tbody>
</table>

### 6.4.1 Surrounding Property Uses

The current uses of properties in the surrounding area were observed to have included the following general categories:

#### Surrounding Area Property Types

<table>
<thead>
<tr>
<th>Residential Uses</th>
<th>Multi-family</th>
<th>Single-family</th>
<th>Rural</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>General Non-Residential Uses</th>
<th>Commercial</th>
<th>Retail</th>
<th>Industrial</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Civic Uses</th>
<th>School</th>
<th>Medical</th>
<th>Recreational</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
General Land Uses

<table>
<thead>
<tr>
<th>Undeveloped</th>
<th>Agricultural</th>
<th>Pasture</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>✅</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Large Scale Uses

<table>
<thead>
<tr>
<th>Military Base</th>
<th>Airport</th>
<th>Park / Reservation</th>
<th>Other</th>
</tr>
</thead>
</table>

Resource Uses

<table>
<thead>
<tr>
<th>Oil / Gas Exploration</th>
<th>Sand / Gravel Extraction</th>
<th>Mining Operations</th>
<th>Other</th>
</tr>
</thead>
</table>

6.5 Summary of Observations

The following is a summary of observations identified during the site reconnaissance:

Observation Summary

<table>
<thead>
<tr>
<th>Item of Concern</th>
<th>Observed Onsite</th>
<th>Observed Offsite</th>
<th>Release Indicated</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hazardous Substances / Petroleum Products in Connection with Present Use(s)</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Hazardous Substances / Petroleum Products in Connection with Prior Use(s)</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Geologic, Hydrogeologic and / or Topographic Conditions</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Underground Storage Tanks (USTs) / Indications of USTs</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Aboveground Storage Tanks (ASTs)</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>70 gallon propane tank was noted at the east adjoining residential property.</td>
</tr>
<tr>
<td>Sumps, Floor Drains or Storm Water Drains</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Odors</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Pools of Liquid</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Hazardous Substance and Petroleum Product Containers; Unidentified Containers; and/or Drums</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Empty 55 gallon drum and gas cylinder were noted in metal barns at the subject property.</td>
</tr>
<tr>
<td>Potential PCB Containing Equipment</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Pole mounted transformer is located at the east adjoining property.</td>
</tr>
<tr>
<td>Clarifiers</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Pits, Ponds or Lagoons</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Pond is located at the property. No sheen was observed on the pond.</td>
</tr>
<tr>
<td>Stained Soil or Pavement</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Stressed Vegetation</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Item of Concern</td>
<td>Observed Onsite</td>
<td>Observed Offsite</td>
<td>Release Indicated</td>
<td>Comments</td>
</tr>
<tr>
<td>-----------------------------------------------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Non-hazardous trash was noted in metal barn at the property and trash dumpster was observed at the north and west adjoining property.</td>
</tr>
<tr>
<td>Mounds, Stockpiled Soils, Filled or Graded Areas and Depressions</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Paint Chips observed as not inside or part of a structure</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Waste Water</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Water Wells</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Oil and Gas Wells</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Monitoring Wells, Observation Wells, Sample Wells, Injection Wells and/or Other Well Types</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Pipelines</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>ATMOS Energy gas pipeline (866 322 8667) runs along the southern boundary of property.</td>
</tr>
<tr>
<td>Septic Systems</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Water pipe near metal barn and fenced wooden area was noted at the property.</td>
</tr>
</tbody>
</table>

**Summary of Critical Observed Areas of Environmental Concern**

Empty 55 gallon drum, gas cylinder and non-hazardous trash were noted in metal barns at the subject property. No evidence of a hazardous substance or petroleum product release was noted to have been observed.
7.0 Interviews

7.1 Owner, Key Property Manager and / or Occupant Interviews

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Relationship to Property</th>
<th>Method of Contact</th>
<th>Response Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/11/20</td>
<td>Ziggy Jewell</td>
<td>Owner's Representative</td>
<td>E-mail</td>
<td>Received</td>
</tr>
<tr>
<td>02/17/20</td>
<td>Ziggy Jewell</td>
<td>Owner's Representative</td>
<td>Telephone</td>
<td>Received</td>
</tr>
</tbody>
</table>

Comments on interviews from items above:

Ziggy Jewell (owner’s representative) completed the owner questionnaire regarding the subject property and did not have any knowledge associated with environmental concerns for the subject property or adjoining properties and stated that the historic use of the subject property was grazing pasture for cattle and horses and hay field. Ms. Jewell has been associated with the subject property for 11 years.

Phase Engineering, Inc. interviewed Ms. Ziggy Jewell via telephone on February 17, 2020. Ms. Jewell informed Phase Engineering, Inc. of the following:

- The subject property is currently undeveloped land with dilapidated metal barns and former horse arena area. The past usage of the property was a pastureland.
- The wooden fenced area at the property was being used as horse arena.
- Not aware of any known environmental conditions in connection with the subject property.
- Not aware of any current or past ASTs or USTs located at the property.
- Environmental assessment documentation or reports are not known to exist in connection with the subject property.
- All other information has been emailed via ASTM questionnaire to Phase Engineering, Inc.
- Associated with the property for approximately 11 years.

See interviews, questionnaires and / or records of communication in the Appendix of this report.

7.2 State and / or Local Agency Officials Interviews

<table>
<thead>
<tr>
<th>Date</th>
<th>Name / Entity</th>
<th>Method of Contact</th>
<th>Response Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Fire Department</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>02/11/20</td>
<td>Sulphur Springs Fire Department</td>
<td>E-mail</td>
<td>Received</td>
</tr>
</tbody>
</table>

| Local Health Department                        |                    |                   |                |
| 02/05/20| Sulphur Springs Environmental Services Office     | E-mail            | Pending        |

| Local Building Department Records / Permits Department |                    |                   |                |
| 02/05/20| Sulphur Springs Building Permits                   | E-mail            | Received       |
### Interview Summary

<table>
<thead>
<tr>
<th>Date</th>
<th>Name / Entity</th>
<th>Method of Contact</th>
<th>Response Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/05/20</td>
<td>Sulphur Springs GIS Zoning Map</td>
<td>Website</td>
<td>Received</td>
</tr>
</tbody>
</table>

Comments on interviews from items above:

Fire department records have been requested from Sulphur Springs Fire Department. A response has been received. There are no documents pertaining to this request associated with the subject property.

Health / Environmental department records have been requested from Sulphur Springs Environmental Services Office. No response has been received. This is considered a data gap. Any information received after the issuance of this report that would affect the Findings and Conclusions of this assessment will be forwarded to the user of this report.

Building department records have been requested from Sulphur Springs Building Permits. A response has been received. There are no documents pertaining to this request associated with the subject property.

According to the Sulphur Springs GIS Zoning Map, the subject property is zoned Multiple Family Dwelling District (MF).

See interviews, questionnaires, records of communication, inquiries and / or Freedom of Information Act (FOIA) requests and any received response documentation in the Appendix of this report.

### Summary of Environmental Concerns Noted During Interviews / Inquiries

Ziggy Jewell (owner's representative) stated that

- The subject property is currently undeveloped land with dilapidated metal barns and former horse arena area. The past usage of the property was grazing pasture for cattle and horses and hay field.
- Not aware of any known environmental conditions in connection with the subject property.
- She has been associated with the property for approximately 11 years.
8.0 Findings with Opinions

Known or suspect environmental conditions associated with the subject property and the environmental professional’s opinion(s) of the impact on the property of known or suspect environmental conditions identified are as follows:

<table>
<thead>
<tr>
<th>FINDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debris was observed at the subject property.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard Environmental Record Sources, Federal, State &amp; Tribal</th>
</tr>
</thead>
<tbody>
<tr>
<td>No regulatory agency listings were found in connection with this finding.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Records Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>None of the records reviewed during this assessment were found to be in connection with this finding.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site Reconnaissance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Empty 55 gallon drum, gas cylinder and non-hazardous debris were noted in metal barns at the subject property. No evidence of a hazardous substance or petroleum product release was noted to have been observed.</td>
</tr>
<tr>
<td>See Section 6.0 for more information regarding observations noted during the site reconnaissance.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Interviews and/or Inquiries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ziggy Jewell (owner’s representative) stated that</td>
</tr>
<tr>
<td>• The subject property is currently undeveloped land with dilapidated metal barns and former horse arena area. The past usage of the property was grazing pasture for cattle and horses and hay field.</td>
</tr>
<tr>
<td>• Not aware of any known environmental conditions in connection with the subject property.</td>
</tr>
<tr>
<td>• She has been associated with the property for approximately 11 years.</td>
</tr>
<tr>
<td>See Section 7.0 for more information regarding interviews and inquiries conducted during this assessment.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OPINION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase Engineering, Inc. has the opinion that based on lack of reported releases and current site conditions, the subject property does not appear likely to have been impacted by this facility. This does not represent a recognized environmental condition.</td>
</tr>
</tbody>
</table>
9.0 Conclusions

Phase Engineering, Inc. has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of subject property and more fully described within the report. Any exception to, or deletions from, this practice are described in Section 2.0 of the report.

Recognized environmental condition is defined in ASTM Standard E 1527-13 as “the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.” Phase Engineering, Inc. has considered all migration pathways including soil, groundwater and vapor during evaluation of all identified environmental conditions. This assessment has revealed no evidence of recognized environmental conditions in connection with the property.

A controlled recognized environmental condition (CREC) is defined in ASTM Standard E 1527-13 as “a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.” Controlled recognized environmental conditions are recognized environmental conditions. This assessment has revealed no evidence of controlled recognized environmental conditions in connection with the property.

A historical recognized environmental condition (HREC) is defined in ASTM Standard E 1527-13 as “a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.” A historical recognized environmental condition is not a recognized environmental condition. This assessment has revealed no evidence of historical recognized environmental conditions in connection with the property.

De minimis conditions are defined in ASTM Standard E 1527-13 as conditions “that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.” De minimis conditions are not recognized environmental conditions. This assessment has revealed no evidence of de minimis conditions in connection with the property.
## 10.0 Recommendations

<table>
<thead>
<tr>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following recommendation is made with respect to the environmental aspects of the subject property:</td>
</tr>
<tr>
<td>No further investigation is required to identify a recognized environmental condition.</td>
</tr>
</tbody>
</table>
11.0 Deviations

11.1 Scope of Services
There were no significant deletions or deviations from the ASTM Standard E 1527-13 scope of services.

11.2 Client Constraints
Client and/or user imposed constraints consisted of the following:

• There were no user constraints.
12.0 Qualifications

The statement of qualifications of the environmental professionals responsible for the Environmental Site Assessment is included in the Appendix of this report.
13.0 Environmental Professional and Support Staff Statement(s)

I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

I further declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312.

Inspected By:

Zahir Jamal

Reviewed By:

Janis Franklin, P.G.

I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Prepared By:

Veronica Pearson

Reviewed By:
Ryan Starr
14.0 Non-Scope Considerations

The ASTM Standard E 1527-13 Section 13.1.5 has identified several non-scope considerations that persons may want to assess in connection with commercial real estate. No implication is intended as to the relative importance or inquiry into such non-scope considerations, and this list of non-scope considerations is not intended to be all inclusive:

- Asbestos-containing building materials
- Biological agents
- Cultural and historic resources
- Ecological resources
- Endangered species
- Health and safety
- Indoor air quality unrelated to release of hazardous substances or petroleum products into the environment
- Industrial hygiene
- Lead-based paint
- Lead in drinking water
- Mold
- Radon
- Regulatory compliance
- Wetlands

Additional non-scope issues that are not addressed in this report are:

- Activity and use limitations compliance
- Controlled substances unless this report was prepared as part of an EPA Brownfields Assessment and Characterization Grant awarded under CERCLA 42 U.S.C. §9604(k)(2)(B) and contracted for as such in the letter of engagement
- Earthquake and Fault Zones

A discussion of certain non-scope items are included below for guidance for a user of this report to determine is additional inquiry may be appropriate. There may be standards or protocols for assessment of potential hazards and conditions associated with non-scope conditions developed by governmental entities, professional organizations, or other private entities. No implication is intended as to the relative importance of inquiry into such non-scope considerations.

14.1 Asbestos-Containing Building Materials

Asbestos is any of six naturally occurring fibrous minerals found in certain types of rock formations. Of the six, the minerals chrysotile, amosite, and crocidolite have been most commonly used in building products. When mined and processed, asbestos is typically separated into very thin fibers. Because asbestos is strong, incombustible, and corrosion resistant, asbestos was used in many commercial products beginning early in the 1900s and peaking in the period from World War II into the 1970's. When inhaled or ingested, it has been determined that asbestos fibers can cause serious health problems.

In 1989 the Environmental Protection Agency imposed a ban to phase out asbestos products; however, the United States Supreme Court overturned this ban in October 1991. Asbestos products, such as floor tiles, adhesives (mastic), and roofing materials, to name a few, can still be purchased.
The HUD MAP guide requires a comprehensive building asbestos survey be conducted for any structures built before 1978 which are to be demolished. The survey must be preformed by a qualified asbestos inspector and pursuant to the "pre-construction survey" requirements of ASTM E2356-10, "Standard Practice for Comprehensive Building Asbestos Surveys". For structures built before 1978 which are not to be demolished, a baseline comprehensive building asbestos survey pursuant to ASTM E2356 shall be conducted. Per HUD regulations, no survey is specifically required for structures built after 1978.

The on-site buildings were constructed in the late-1970s, thus a visual asbestos inspection was conducted by Phase Engineering, Inc. Potential asbestos containing building materials (ACBMs) in the form of wall material, ceiling material and miscellaneous building materials in good non-friable condition were observed at the subject property. No potential suspect damaged friable ACBMs were observed. No asbestos sampling was performed as part of this ESA and no previous asbestos inspection reports or abatement reports were provided to Phase Engineering, Inc.

In the event of renovation and / or demolition, sampling may be required of suspect asbestos containing materials prior to these activities to satisfy the Environmental Protection Agency (EPA), Occupational Safety and Health Administration (OSHA) and the Texas Department of State Health Services (TDSHS) rules and regulations at that time.

The Texas Department of State Health Services (TDSHS) Demolition/Renovation Notification form combines the requirements of the National Emission Standards for Hazardous Air Pollutants, 40 CFR, Subpart M (NESHAP) and the Texas Asbestos Health Protection Rules (TAHPR). Both of these regulations require that written notification be submitted before beginning renovation projects that include the disturbance of any asbestos-containing material in a facility. A notification form is required before the demolition of a building or facility, even when no asbestos is present. This form must be used to fulfill either of these requirements. Please call either 512-834-6610 or 1-800-572-5548 (within Texas), or your local regional office for assistance in completing this form.

During renovation or demolition activities, care should be exercised in dealing with all construction materials even those shown to be non-asbestos containing (this would include materials technically considered as non-asbestos containing because they are below the one percent limit). If these non-asbestos materials are to be disturbed, work practices should be used that will limit exposure to dust and debris. Contractors performing this work should conform to OSHA regulations outlined in 29 CFR 1926.55 (exposure limits can be found in 29 CFR 1910.1000 Table Z-3).

14.2 Cultural and Historical Resources

When projects are funded in whole or in part through federal programs, such as HUD or USDA, a Section 106 consultation process in compliance with the National Historic Preservation Act must be completed. In July 2014, a memorandum between the Texas State Historic Preservation Officer (SHPO) and HUD was released providing guidelines for consulting with the SHPO to meet Section 106 requirements.

For the purposes of this review the Area of Potential Effects (APE) has been defined as the boundaries of the subject property and adjacent properties. Phase Engineering, Inc. reviewed the Texas Historic Sites Atlas on the Texas Historical Commission (THC) website for potential historic properties or districts located within the project’s APE. In addition, any properties identified as older than 45-years or local historic districts within the APE were noted during the site reconnaissance. See Historical and Archaeological Sites Map in the Appendix.
If funding or permitting through a federal agency is anticipated, a Section 106 Consultation form with supporting documentation can be submitted to the SHPO in addition to this review. The Section 106 consultation will also include an invitation to comment submitted to a local historic preservation office and Native American Tribes. A Section 106 Consultation was not conducted as part of this assessment.

### 14.3 Endangered Species

The Endangered Species Act of 1973 was established to provide protection and recovery for a list of specific species and their ecosystems. An endangered species is defined as an animal or plant species which are in danger of extinction throughout all or a significant portion of its range. A threatened species is one which is likely to become endangered in the foreseeable future. A review of the listed species for the project area and assessment of the potential impacts of the proposed project to these species was not completed as part of this review.

Critical Habitat is a specific geographic area(s) that has been designated by the United States Fish and Wildlife Service (USFW) which is essential for the conservation of a listed threatened or endangered species and may require special management and protection. The subject property does not contain an area determined to be critical habitat according to our review of the USFW Critical Habitat Portal.

See Critical Habitat Map in the Appendix.

### 14.4 Lead-Based Paint

Lead is a metal that is highly toxic to humans, particularly children. Human contamination usually occurs by oral ingestion or respiratory inhalation of dust or chips of paint made with lead pigment in both interior and exterior paints. Lead-containing paint was outlawed in 1978.

Since the subject property consists of two metal buildings that were built prior to 1978, lead-based paint may be present on painted surfaces of the building. No paint chips were noted on the ground during the site inspection. No lead-based paint sampling was performed as part of this ESA and no previous lead-based paint inspection reports or abatement reports were provided to Phase Engineering, Inc.

Per EPA and HUD regulations, in the event of total demolition no further sampling or lead abatement is required. However, the use of lead-safe practices is recommended during the demolition activities in order to minimize exposure to lead dust.

In the event of renovation, further sampling may be required prior to these activities to satisfy the Environmental Protection Agency (EPA), Occupational Safety and Health Administration (OSHA) and Texas Department of Health (TDH) rules and regulations at that time.

### 14.5 Lead in Drinking Water

Lead is a toxic metal found in natural deposits and is commonly used in plumbing materials and water service lines. Construction built before 1986 is more likely to have lead pipes, fixtures and solder. Lead is rarely found in source water, but enters tap water through corrosion of plumbing materials. All public water systems must test for lead within their distribution system in compliance with the EPA’s Lead and Copper Rule. Phase Engineering, Inc. reviewed the 2018 Annual Drinking Water Quality Report for the City of Sulphur Springs. According to the report, lead is reported below the EPA Action Level in at least 90% of the samples tested.

Since the on-site buildings were constructed prior to 1986, testing for lead in the drinking water is recommended if any of the existing plumbing systems are planned for use in future development of the subject property.
14.6 Radon

The U.S. EPA and the U.S. Geological Survey evaluated the radon potential in the U.S. and developed a map to assist National, State and local organizations to target their resources and to assist building code officials in deciding whether radon-resistant features are applicable in new construction. The map assigns each of the 3,141 counties in the U.S. to one of three zones based on radon potential. Each zone designation reflects the average short-term radon measurement that can be expected to be measured in a building without the implementation of radon control methods. See the Texas Radon Map located in the Appendix.

In 1994, a statewide survey of indoor residential radon was conducted by the Texas Department of Health and Southwest Texas State University. The report identified several areas of Texas where the local geology is suspected to contribute to elevated levels of indoor radon.

Projects funded by FHA Multifamily Insured mortgage applications must comply with Section 9.5.C of the Multifamily Accelerated Processing (MAP) Guide, which requires post-construction radon testing is required for all new construction projects located within Radon Zone 3. The radon testing must be performed in accordance to the ANSI/AARST protocol for conducting radon and radon decay product measurements in multi-family buildings.

See preliminary findings and requirement for radon testing from the EPA Radon Map and Texas Statewide Survey in the table below:

<table>
<thead>
<tr>
<th>EPA Radon Zone Designation</th>
<th>Percent of Properties &gt;4.0 pCi/L per Statewide Survey</th>
<th>Maximum Reported Level per Statewide Survey pCi/L</th>
<th>Requirement for Radon Testing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hopkins County</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zone 3 - Low Potential (&lt;2 pCi/L)</td>
<td>0</td>
<td>.6</td>
<td>Marginal (0-10% of properties surveyed &gt;4.0 pCi/L)</td>
</tr>
</tbody>
</table>

14.7 FEMA Flood Insurance Rate Map

The subject property is entirely in Unshaded Zone X (outside of the 100 and 500-year floodplains) as delineated on the FEMA FIRM Map Number 48223C0330E, with an effective date of March 17, 2011. The subject property is not located in a FEMA-designated Special Flood Hazard Area and flood insurance or mitigation for flood impacts are not required.

14.8 Wetlands

The U.S. Army Corps of Engineers (USCOE) requires permitting prior to the filling of certain jurisdictional wetland areas and other waters of the U.S. Geospatial wetland data is managed by the U.S. Fish and Wildlife Service and presented in maps known as the National Wetland Inventory (NWI). A review of the NWI map indicates a pond covering the southwestern portion of the property (PUSC - Palustrine-Unconsolidated Shore-Seasonally Flooded). An on-site wetlands determination assessment is not recommended to determine if all characteristics for a wetland are present at the subject property.
The USCOE and the U.S. Environmental Protection Agency use three characteristics as indicators of wetlands. These characteristics are: Vegetation, Soil, and Hydrology. The final determination of whether an area is a wetland and whether the activity requires a permit must be made by the appropriate Corps District Office (source: Corps of Engineers Wetlands Delineation Manual). A wetlands determination was not conducted as part of this assessment.

See NWI Map in the Appendix.

14.9 Vapor Encroachment Screening

A vapor encroachment condition (VEC) is the presence or likely presence of hazardous substances or petroleum products vapors in the sub-surface of a property caused by the release of vapors from contaminated soil or groundwater either on or near the property. Vapor intrusion is the presence of such vapors in a building or structure located on a property. Although the vapor migration pathway is considered in the identification of recognized environmental conditions under ASTM Standard E 1527-13 and in this report, a Tier 1 Vapor Encroachment Screening (VES) assessment was conducted as part of this report. The VES was conducted in accordance with ASTM E2600-15 (the subsequent standard of ASTM 2600-10), Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions.

The following table includes an evaluation of Standard Environmental Record Sources and the approximate minimum search distances as listed in subsection 8.3.2, of ASTM E2600:

<table>
<thead>
<tr>
<th>Databases</th>
<th>Radius Searched (Miles) Chemicals of Concern</th>
<th>Radius Searched (Miles) Petroleum Hydrocarbon Chemicals of Concern</th>
<th>Sites Found</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FEDERAL SITES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal NPL (Superfund)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Federal CERCLA (Active)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Federal Resource Conservation and Recovery Act (RCRA) CORRACTS facilities</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Federal RCRA Non-CORRACTS Treatment, Storage and Disposal facilities (TSD)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Federal RCRA Generators of Hazardous Wastes</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td>Federal Institutional Control / Engineering Control Registries</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td>Federal ERNS (Reported Spill Incidents)</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td><strong>STATE AND TRIBAL SITES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State / Tribal Equivalent NPL</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>State / Tribal Equivalent CERCLIS Sites</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Landfills or Solid Waste Disposal Sites</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Leaking Storage Tank Sites</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Registered Storage Tanks</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
<tr>
<td>State / Tribal Institutional Control / Engineering Control Registries</td>
<td>Subject Property Only</td>
<td>Subject Property Only</td>
<td>0</td>
</tr>
</tbody>
</table>
Vapor Encroachment Regulatory Database Search Results

<table>
<thead>
<tr>
<th>Databases</th>
<th>Radius Searched (Miles) Chemicals of Concern</th>
<th>Radius Searched (Miles) Petroleum Hydrocarbon Chemicals of Concern</th>
<th>Sites Found</th>
</tr>
</thead>
<tbody>
<tr>
<td>Voluntary Cleanup Program (VCP)</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
<tr>
<td>Brownfield</td>
<td>1/3</td>
<td>1/10</td>
<td>0</td>
</tr>
</tbody>
</table>

No sites were identified during the regulatory database search that would pose a VEC to the subject property, based on the critical distance evaluation.

Based on resources reviewed, it is the opinion of Phase Engineering, Inc. a VEC does not exist due to the lack of evidence that COC vapors may be present in the subsurface of the target property caused by a release of vapors from contaminated soil or groundwater or both either on or near the subject property as identified by the Tier 1 VES procedures. Additional Vapor Encroachment Screening procedures are not warranted at this time.

14.10 Noise Study

Phase Engineering, Inc. has conducted a noise survey for the subject property in accordance with the Noise Assessment Guidelines provided by the U.S. Department of Housing and Urban Development (HUD). Noise Assessment Locations (NALs) were selected on the property based on proximity to the noise sources and identified on the Noise Sources Map provided in the Appendix.

The noise sources within the prescribed distances include the following:

<table>
<thead>
<tr>
<th>Identified Noise Sources</th>
<th>Source Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Road(s)</td>
<td>No major roads were identified within 1,000 feet from the subject property</td>
</tr>
<tr>
<td>Railroad(s)</td>
<td>No railroads were identified within 3,000 feet from the subject property</td>
</tr>
<tr>
<td>Airport(s)</td>
<td>No major civil or military airports were identified within 15 miles from the subject property</td>
</tr>
</tbody>
</table>

No major noise sources are located within the minimum search radius from the subject property, thus the noise value is considered “Acceptable” based on the HUD guidelines. No additional noise assessment is required.

14.11 Explosive Hazards

In accordance with §11.305(b)(7) of the TDHCA Qualified Allocation Plan, this report includes an assessment of potentially hazardous explosive facilities on or within 0.25 miles of the subject property. Hazardous facilities considered in this assessment include oil, gas or chemical pipelines, processing facilities, storage facilities or above-ground storage tanks containing liquids or gas of an explosive nature. Containers consisting of common liquid industrial fuels, such as gasoline, fuel oil, kerosene and crude oil are excepted from this analysis on the basis that these chemicals would pose no danger in terms of blast overpressure to a proposed development.
No oil, gas or chemical pipelines, processing facilities, storage facilities or other potentially hazardous explosive activities on-site or in the general area of the site that could potentially adversely impact the subject property were noted on historical information reviewed, interviews or during the site visit.
15.0 Common Acronyms

AAI – All Appropriate Inquiry
ACBM – Asbestos Containing Building Material
AST – Aboveground Storage Tank
AUL – Activity and Usage Limitation
BF – Brownfield
BTEX – Benzene, Toluene, Ethyl benzene and Xylenes
CDC – Certified Development Corporation
CERCLA – Comprehensive Environmental Response, Compensation and Liability Act
CERCLIS – Comprehensive Environmental Response, Compensation and Liability Information System
CERCLIS NFRAP - Comprehensive Environmental Response, Compensation and Liability Information System with No Further Remedial Action Planned
CLI – Closed Landfill Inventory
CORRACTS – Corrective Action (RCRA)
CREC – Controlled recognized environmental condition
EC – Engineering Control
EPA – Environmental Protection Agency
ERNS – Emergency Response Notification System
FOIA – Freedom of Information Act
GWBZ – Groundwater Bearing Zone
HREC – Historical recognized environmental condition
IC – Institutional Control
IHW – Industrial Hazardous Waste
IOP – Innocent Owner / Operator Program
LPST – Leaking Petroleum Storage Tank
MUD – Municipal Utility District
MSD – Municipal Settings Designation
MSL – Mean Sea Level
MTBE – Methyl tert butyl ether
NAPL – Non-aqueous Phase Liquids
NPL – National Priority List
NRCS – Natural Resource Conservation Service
OSHA – Occupational Safety and Health Administration
PAH – Polycyclic Aromatic Hydrocarbons
PCB – Polychlorinated Biphenyls
PCE – Perchloroethene (Tetrachloroethene)
PPM – Parts Per Million
PSH – Phase Separated Hydrocarbons
PUD – Public Utility District
RCRA – Resource Conservation and Recovery Act
REC – Recognized environmental condition
SBA – Small Business Administration
SCL – State CERCLIS List
SPL – State Priority List
SVOC – Semi-Volatile Organic Compounds
SWLF – Solid Waste Landfill
TCEQ – Texas Commission on Environmental Quality
TDSHS – Texas Department of State Health Services
TNRCC – Texas Natural Resource Conservation Commission
TNRIS – Texas Natural Resource Information System
TPH – Total Petroleum Hydrocarbons
TSD – Treatment, Storage and Disposal (RCRA)
TWC - Texas Water Commission
TWDB - Texas Water Development Board
USACOE – United State Army Corps of Engineers
USDA – United States Department of Agriculture
UST – Underground Storage Tank
USGS – United States Geological Survey
VCP – Voluntary Cleanup Program
VEC – Vapor Encroachment Condition
VOC – Volatile Organic Compounds
WMU – Waste Management Unit
Location: Approximately 5.7 acres along League Street South, Sulphur Springs, TX 75482, Hopkins County

PEI Project No: 202002012
Subject Property

Location: Approximately 5.7 acres along League Street South
Sulphur Springs, TX 75482
Hopkins County

PEI Project No: 202002012
2018 NAIP Orthoimagery

PHASE ENGINEERING, INC.
ENVIRONMENTAL CONSULTANTS

Source: USGS Earth Explorer

PEI Project No: 20200212
USDA NRCS SSURGO Database of Texas

The "Gridded Soil Survey Geographic (gSSURGO) Database State-tile Package" product is derived from the Soil Survey Geographic Database. SSURGO is generally the most detailed level of soil geographic data developed by the National Cooperative Soil Survey (NCSS) in accordance with NCSS mapping standards. SSURGO is designed to be used for broad planning and management uses.

Geologic Database of Texas

The Geologic Database of Texas was produced in cooperation with the US Geological Survey (USGS), and the Texas Water Development Board (TWDB) utilizing the 28 Geologic Atlas of Texas sheets (Texas Bureau of Economic Geology, Virgil Barnes, editor). These were compiled into separate geodatabases and then into a single Statewide Digital Geologic Atlas of Texas. This dataset is distributed through TNRIS.
Topographic Map

The U.S. Geological Survey (USGS) produced its first topographic map in 1879, the same year it was established. Today, more than 100 years and millions of map copies later, topographic mapping is still a central activity for the USGS. The topographic map remains an indispensable tool for government, science, industry, and leisure.

Topographic maps usually portray both natural and manmade features. They show and name works of nature including mountains, valleys, plains, lakes, rivers, and vegetation. They also identify the principal works of man, such as roads, boundaries, transmission lines, and major buildings. The colors represent the following: Contours - brown, Hydrography - blue, Public Land Survey System and other surveys - red, Updates - purple/magenta, Miscellaneous - black, and Vegetation - green.

USGS 7.5 Minute Topographic Series
Sulphur Springs SE and Sulpher Springs, 2019
Topographic Map

The U.S. Geological Survey (USGS) produced its first topographic map in 1879, the same year it was established. Today, more than 100 years and millions of map copies later, topographic mapping is still a central activity for the USGS. The topographic map remains an indispensable tool for government, science, industry, and leisure.

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USGS 7.5 Minute Topographic Series
Sulphur Springs SE and Sulpher Springs, 2016
Topographic Map

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USGS 7.5 Minute Topographic Series
Sulphur Springs SE and Sulpher Springs, 1964
The Texas Water Development Board (TWDB) has identified and characterized 9 major and 22 minor aquifers in the state based on the quality of water supplied by each. A major aquifer is generally defined as supplying large quantities of water in small areas or relatively small quantities in large areas. Lesser quantities of water may also be found in the remainder of the state.

**Texas Aquifer Zones - TWDB 2017 State Water Plan**

The TWDB has identified and characterized 9 major and 22 minor aquifers in the state based on the quality of water supplied by each. A major aquifer is generally defined as supplying large quantities of water in small areas or relatively small quantities in large areas. Lesser quantities of water may also be found in the remainder of the state.
FEMA Flood Map

Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHAs are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zones A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).

**Zones A, AE, AH, AO, VE**
Special Flood Hazard Areas Subject to inundation by the 1% annual chance Flood Event (100-year flood). The 1% annual chance flood, also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. SFHAs includes A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30.

**Zones X**
Moderate Flood Hazard Areas - Areas of 0.2% (500-year) annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than less than 1 square mile; and areas protected by levees from 1% annual chance flood.

**Future Conditions**
Future Conditions 1-percent annual chance (100-year) floodplain. Future conditions hydrology is shown for informational purposes only and are based on the request of the community and not by FEMA.

**Area Not Included**
Minimal Flood Hazard Areas - Areas determined to be outside the 0.2% (500-year) annual chance floodplain and protected by levee from 100-year flood.
Texas Railroad Commission

Oil and gas well data and pipeline datasets were generated by the Geographic Information System of the Railroad Commission of Texas from public records at the Railroad Commission of Texas (the Commission). Each location is identified using the American Petroleum Institute (API) number of the wellbore. The Railroad Commission issues pipeline permits for common carrier operations within Texas. Permits must be renewed annually.

Digital Oil and Gas Wells

- Permitted Location
- Dry Hole
- Oil Well
- Gas Well
- Oil/Gas Well
- Plugged Oil Well
- Plugged Gas Well
- Cancelled Location
- Plugged Oil/Gas Well
- Injection/Disposal Well
- Core Test
- Directional Surface Location
- Sulfur Core Test
- Storage from Oil
- Storage from Gas
- Shut-In Well (Oil)
- Shut-In Well (Gas)
- Injection/Disposal from Oil
- Injection/Disposal from Gas
- Injection/Disposal from Oil/Gas
- Offshore Platform
- Geothermal Well
- Brine Mining Well
- Water Supply Well
- Water Supply from Oil
- Water Supply from Gas
- Observation Well
- Observation from Oil
- Observation from Gas
- Observation from Oil/Gas
- Horizontal Drainhole
- Sidetrack Well Surface Location
- Service Well
- Service from Oil
- Service from Oil/Gas
- Storage Well
- Observation from Storage
- Service from Storage/Gas
- Plugged Storage
- Injection/Disposal from Storage
- Injection/Disposal from Storage/Oil
- Injection/Disposal from Storage/Gas
- Injection/Disposal from Storage/Oil/Gas
- Observation from Storage/Oil
- Observation from Storage/Gas
- Observation from Storage/Oil/Gas
- Observation from Brine Mining
- Injection/Disposal from Brine Mining
- Injection/Disposal from Brine Mining/Oil
- Injection/Disposal from Brine Mining/Gas
- Injection/Disposal from Brine Mining/Oil/Gas
- Storage/Brine Mining
- Storage/Oil
- Storage/Gas
- Storage/Oil/Gas
- Service from Brine Mining
- Service from Brine Mining/Oil
- Service from Brine Mining/Gas
- Service from Brine Mining/Oil/Gas
- Plugged Brine Mining
- Injection/Disposal from Brine Mining/Oil/Gas
- Injection/Disposal from Brine Mining/Gas
- Service from Brine Mining/Oil/Gas

Digital Pipeline Mapping

- AA Anhydrous Ammonia
- CO2 Carbon Dioxide
- CRUDE OIL Crude Oil
- CFL Crude Oil
- OIL FWS Oil FWS
- NGT Natural Gas
- NGS Natural Gas
- NFT Natural Gas FWS
- NFG Natural Gas FWS
- OGG Other Gas
- HVL Highly Volatile Liquid
- PRD Refined Liquefied Petroleum Gas
- EMT Empty
The Operator Cleanup Program (OCP) under the Site Remediation Section of the RRC has oversight of complex cleanups performed by the oil and gas industry. Complex sites include those that occur in sensitive environmental areas and may require site specific cleanup levels based on risk.

**Texas Railroad Commission Operator Cleanup Program Sites**

- **Original Texas Land Survey (RRC/GLO)**
- **RRC Operator Cleanup Program Sites - Active**
- **RRC Operator Cleanup Program Sites - Closed**
  - NFA
  - NFA/IC
  - Non-NFA
Texas Water Wells with MSD and Superfund Site Boundaries

- **TCEQ Public Water Supply Wells (PWS)**
  The public water systems data was developed to support the TCEQ's Source Water Assessment and Protection Program (SWAP). The locations were obtained by the Water Supply Division as recorded from various sources. This layer was built using the best existing location data available but some errors still remain.

- **USGS National Water Inventory System (NWIS)**
  The National Water Information System (NWIS) provides access to USGS water data at over 1.5 million sites. This extensive database for the nation includes the occurrence, quantity, quality, distribution and movement of surface and underground waters.

- **TWDB Groundwater Database (GWDB)**
  The Groundwater Database (GWDB) of the Texas Water Development Board (TWDB) contains information about more than 130,000 water well, spring, and oil/gas test sites in Texas including associated water level and water quality data. Because data collection methods and data maintenance have varied and evolved over the years, the information in the GWDB has a range of accuracy.

- **TWDB Brackish Groundwater (BRACS)**
  The Brackish Resources Aquifer Characterization System (BRACS) Database was designed to store well and geology information in support of projects to characterize the brackish groundwater resources of Texas. Brackish groundwater contains dissolved minerals in the range of 1,000 to 9,999 milligrams per liter (mg/L).

- **TWDB Submitted Drillers Reports Database (SDRDB)**
  The Submitted Driller's Report Database is populated from the online Texas Well Report Submission and Retrieval System which is a cooperative Texas Department of Licensing and Regulation (TDLR) and Texas Water Development Board (TWDB) application that registered water-well drillers use to submit their required reports. This system was started 2/5/2001 and began collecting all reports in 2003.

- **TCEQ MSD Boundary**
  An MSD is an official state designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the applicable potable-water protective concentration level. The prohibition must be in the form of a city ordinance, or a restrictive covenant that is enforceable by the city and filed in the property records.

- **State and Federal Superfund Sites**
  TCEQ Superfund Sites includes both State and Federal sites in the State of Texas that have been designated as Superfund cleanup sites. Federal Superfund sites have a Hazardous Ranking System score of 28.5 or above and are also on the NPL.
APPENDIX II

PHOTO GALLERY
1. View of pond at the property

2. View north along partial west boundary
3. View west along adjoining apartment homes

4. View east of property from apartment adjoining homes
5. View of fenced area at the property-former horse arena

6. View of metal shed at the west boundary
7. Former horse arena at the property

8. View of single family residential property enclosing the subject site
9. Interior view of metal shed

10. View north along west boundary
11. View along west boundary

12. Metal barns at the northwest corner of property
13. Metal barn at the northwest corner of property

14. Interior view of barn
15. View east along north boundary

16. Empty drum in barn
17. Water pipe at the corner of barn

18. Gas cylinder at the barn
19. View of apartment homes at the west of property

20. Entrance gate from Rockdale Road
21. View north along Rockdale Road

22. Signage at the west adjoining property
23. Signage at the north adjoining property

24. View south along north adjoining property-Hopkins Place
25. View west along north boundary

26. View south along League Street South
27. View of property facing west

28. Residential adjoining property at the east
29. Signage at the property

30. View west of property from League Street South
31. View west along south adjoining property

32. Primrose Estate Senior apartments- not adjoining the property
APPENDIX III

OWNERSHIP & PUBLIC DOCUMENTATION
Property Details

Ownership

MAHEALANI RANCH
BARBARA NOBRIGA
P O BOX 843
KEALAKEKUA, HI 96750

Ownership Interest: 1.000000
1-04-06

Qualified Exemptions

Not Applicable

Legal Information

Situs: LEAGUE STREET 0

Property Valuation History

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<th>2017</th>
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Improvement / Buildings

Improvement Value: $16,310

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Page: 892
Deed Date: 11/28/2007

Property Tax Estimation by Entity / Jurisdiction

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The above property tax estimation is not a tax bill. Do not pay.

Southwest Data Solutions provides this information "as is" without warranty of any kind.
Southwest Data Solutions is not responsible for any errors or omissions.
### Property Details

**Ownership**

MAHEALANI RANCH  
BARBARA NOBRIGA  
P O BOX 843  
KEALAKEKUA, HI 96750  
Ownership Interest: 1.000000  
1-4-6

**Qualified Exemptions**

Not Applicable

### Legal Information

Legal: Acres: 0.835, Lot: 4, Blk: 24,4, FINAL PLAT JEWELL & MORRIS ADDITION  
Situs: ROCKDALE RD 0

### Property Valuation History

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FINAL PLAT

JEWELL & EURIS MORRIS

ADDITION

BLOCK 24-4

CITY OF SULPHUR SPRINGS
JOSE YBARBO SURVEY, A-1102
HOPKINS COUNTY, TEXAS

DATE: JULY 18, 2008

Cooper Land Surveying, Inc.
P.O. Box 267
Sulphur Springs, Texas 75483
10/10/2003 4:40:12
Fax: 903-638-3933

CERTIFICATE OF CITY OF SULPHUR SPRINGS

APPROVED by the City Council of Sulphur Springs, Texas on the ____________ day of __________, 2008.

signed by ________________________________
	City Secretary

CERTIFICATE OF CITY PLANNING AND ZONING

APPROVED by the Sulphur Springs Planning and Zoning Commission on the ____________ day of __________, 2008.

Chairman

CERTIFICATE OF CITY COUNCIL

APPROVED by the City Council of Sulphur Springs, Texas on the ____________ day of __________, 2008.

signed by ________________________________
	City Manager
0.784 ACRES
LOT 6R
Z. JEWELL SUBDIVISION
PLAT CABINET 6, PAGE 315
DOC #5981
JOSE YBARBO SURVEY
A-1102
HOPKINS COUNTY, TEXAS

IMPROVEMENT SURVEY for 0.784 Acres in the Z. Jewell Subdivision recorded in Plat Cabinet 6, page 315 Map records, Hopkins County, Texas, located about 1.16 miles S 38° W from the Downtown Square of Sulphur Springs as described in a deed from Donna Gall Edgar et al to Mahconji Ranch, dated November 5, 2007, recorded in Vol. 643, page 892, Official Public Records.

John Cooper, Registered Professional Land Surveyor in the State of Texas certify that this plat represents a survey on the ground under my supervision and there are no visible discrepancies, shortages in area, boundary line conflicts, overlapping of improvements, easements or rights of way except as shown hereon and according to F.I.R.M. Map No. 48223C0225E, dated March 17, 2011, none of this property appears to fall within a 100-year flood zone.

DATED: November 24, 2015
SIGNED: John Cooper, R.P.L.S. No. 5226
PROPOSED UNIT MIX:
1 BEDROOM / 1 BATH - 42 UNITS
2 BEDROOM / 2 BATH - 30 UNITS
TOTAL - 72 UNITS

BUILDING BREAK-DOWN:
3 STORY ELEVATOR BUILDINGS (2)

SITE INFO:
PARKING -
- PROVIDED 98
We (Chicago Title Insurance Company, a Florida corporation) will issue our title insurance policy or policies (the Policy) to You (the proposed insured) upon payment of the premium and other charges due, and compliance with the requirements in Schedule C. Our Policy will be in the form approved by the Texas Department of Insurance at the date of issuance, and will insure your interest in the land described in Schedule A. The estimated premium for our Policy and applicable endorsements is shown on Schedule D. There may be additional charges such as recording fees, and expedited delivery expenses.

This Commitment ends ninety (90) days from the effective date, unless the Policy is issued sooner, or failure to issue the Policy is our fault. Our liability and obligations to you are under the express terms of this Commitment and end when this Commitment expires.

Issued By:
Chicago Title of Texas, LLC

CONDITIONS AND STIPULATIONS

1. If you have actual knowledge of any matter which may affect the title or mortgage covered by this Commitment that is not shown in Schedule B you must notify us in writing. If you do not notify us in writing, our liability to you is ended or reduced to the extent that your failure to notify us affects our liability. If you do notify us, or we learn of such matter, we may amend Schedule B, but we will not be relieved of liability already incurred.

2. Our liability is only to you, and others who are included in the definition of Insured in the Policy to be issued. Our liability is only for actual loss incurred in your reliance on this Commitment to comply with its requirements, or to acquire the interest in the land. Our liability is limited to the amount shown in Schedule A of this Commitment and will be subject to the following terms of the Policy: Insuring Provisions, Conditions and Stipulations, and Exclusions.
SCHEDULE A

Effective Date: November 22, 2019 at 8:00 AM
Commitment No.: 8000551900069

1. The policy or policies to be issued are:
   a. OWNER’S POLICY OF TITLE INSURANCE (Form T-1)
      (Not applicable for improved one-to-four family residential real estate)
      Policy Amount: $170,000.00
      PROPOSED INSURED: MVAH Holding LLC
   b. TEXAS RESIDENTIAL OWNER’S POLICY OF TITLE INSURANCE
      ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)
      Policy Amount: TBD
      PROPOSED INSURED: MVAH Holding LLC
   c. LOAN POLICY OF TITLE INSURANCE (Form T-2)
      Policy Amount: TBD
      PROPOSED INSURED: MVAH Holding LLC
   d. TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)
      Policy Amount: TBD
      PROPOSED INSURED: TBD
      Proposed Borrower: MVAH Holding LLC
   e. LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)
      Policy Amount: TBD
      PROPOSED INSURED: TBD
      Proposed Borrower: TBD
   f. OTHER
      Policy Amount: TBD
      PROPOSED INSURED: TBD

2. The interest in the land covered by this Commitment is:
   Fee Simple

3. Record title to the land on the Effective Date appears to be vested in:
   Mahealani Ranch, a Hawaii General Partnership, Acting by and through Barbara Nobriga, Managing Partner
4. Legal description of land:

All that certain lot, tract or parcel of land being LOT 1 and LOT 4 of the JEWELL & MORRIS ADDITION, a subdivision located in the Jose Y'Barbo Survey, A-1102 of Hopkins County, Texas, according to the map or plat thereof recorded in Volume 6, Page 228, Map Records, Hopkins County, Texas.

NOTE: THE COMPANY IS PROHIBITED FROM INSURING THE AREA OR QUANTITY OF THE LAND DESCRIBED HEREIN. ANY STATEMENT IN THE LEGAL DESCRIPTION OF THE AREA OR QUANTITY OF LAND IS NOT A REPRESENTATION OF SUCH AREA OR QUANTITY, BUT IS FOR INFORMATIONAL, AND/OR IDENTIFICATION PURPOSE AND DOES NOT OVERRIDE ITEM 2 OF SCHEDULE B HEREOF.

END OF SCHEDULE A
In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorney’s fees, and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

   Volume 6, Page 228, Map Records, Hopkins County, Texas.

   Omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.

3. Homestead or community property or survivorship rights, if any of any spouse of any insured.
   (Applies to the Owner Policy only.)

4. Any title or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
   a. to tidelands, or lands comprising the shores or beds or navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
   b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or
   c. to filled-in lands, or artificial islands, or
   d. to statutory water rights, including riparian rights, or
   e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.
   (Applies to the Owner Policy only.)

5. Standby fees, taxes and assessments by any taxing authority for the year 2020 and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership; but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax years. (If Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year 2020 and subsequent years.")

6. The terms and conditions of the documents creating your interest in the land.

7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Mortgagee Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)
SCHEDULE B
EXCEPTIONS FROM COVERAGE
(continued)

8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage.

(Applies to Mortgagee Policy (T-2) only.)

9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R) only. Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R).

10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):

   a. Rights of parties in possession.
   
   b. The following exception will appear in any policy issued (other than the T-1R Residential Owner Policy of Title Insurance and the T-2R Short-Form Residential Mortgagee Policy) if the Company is not provided a survey of the Land, acceptable to the Company, for review at or prior to closing:
   
   Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.
   
   Note: Upon receipt of a survey acceptable to the Title Company, this exception will be deleted. The Company reserves the right to except additional items and/or make additional requirements after reviewing said survey.
   
   c. Any and all reservations and/or restrictions created in this transaction.
   
   d. Any and all liens created or assumed in this transaction. (Residential Owner's/Owner's Policy only)
   
   e. Any and all liens of a general type or nature (ie. Federal Tax Liens, Abstracts of Judgments, etc.) that may have heretofore been or may hereinafter be filed against the Named Insured." (Residential Owner's/Owner's Policy only)
   
   f. This policy excludes, and does not insure, any manufactured housing unit, mobile home, house trailer or other such personal property situated on the property described in Schedule A herein. This exclusion extends to any liens on such manufactured housing unit, mobile home, house trailer or other such personal property, and any consequences of foreclosure or attempted foreclosure of any such lien and of any repossession of such manufactured housing unit, mobile home, house trailer or other such personal property.
   
   g. Any and all UCC Financing Statements filed for record with the Secretary of State of Texas.
   
   h. This policy does not insure personal property situated upon the property described in Schedule A herein.
   
   i. Rights of tenants in possession under any unrecorded lease, sublease and/or rental agreement.
   
   j. Easement and Right of Way granted from W. J. Melton and wife to Lone Star Gas Company, in instrument dated 06-17-1927, and recorded in Volume 118, Page 528 of the Deed Records of Hopkins County, Texas.
   
SCHEDULE B
EXCEPTIONS FROM COVERAGE
(continued)


m. All Restrictions, Building Set Back Lines and/or Easements as shown on the Plat of the Jewell & Morris Addition Addition recorded in Volume 6, Page 228 of the Map Records of Hopkins County, Texas.

n. If any portion of the proposed loan and/or the Owner's Title Policy coverage amount includes funds for immediately contemplated improvements, the following exceptions will appear in Schedule B of any policy issued as indicated:

Owner and Loan Policy(ies): Any and all liens arising by reason of unpaid bills or claims for work performed or materials furnished in connection with improvements placed, or to be placed, upon the subject land. However, the Company does insure the insured against loss, if any, sustained by the Insured under this policy if such liens have been filed with the County Clerk of County, Texas, prior to the date hereof.

Owner Policy(ies) Only: Liability hereunder at the date hereof is limited to $0.00. Liability shall increase as contemplated improvements are made, so that any loss payable hereunder shall be limited to said sum plus the amount actually expended by the insured in improvements at the time the loss occurs. Any expenditures made for improvements, subsequent to the date of this policy, will be deemed made as of the date of this policy. In no event shall the liability of the Company hereunder exceed the face amount of this policy. Nothing contained in this paragraph shall be construed as limiting any exception or any printed provision of this policy.

Loan Policy(ies) Only: Pending disbursement of the full proceeds of the loan secured by the lien instrument set forth under Schedule A hereof, this policy insures only to the extent of the amount actually disbursed, but increase as each disbursement is made in good faith and without knowledge of any defect in, or objections to, the title up to the face amount of the policy. Nothing contained in this paragraph shall be construed as limiting any exception under Schedule B, or any printed provision of this policy.

o. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
SCHEDULE C

Commitment No.: 8000551900069  GF No.: CTHS55-8000551900069-JM

Your Policy will not cover loss, costs, attorneys' fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.

2. Satisfactory evidence must be provided that:
   a. no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,
   b. all standby fees, taxes, assessments and charges against the property have been paid,
   c. all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, sub-contractors, laborers and suppliers have been fully paid, and that no mechanic's, laborer's or materialmen's liens have attached to the property,
   d. there is legal right of access to and from the land,
   e. (on a Mortgagee Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.

3. You must pay the seller or borrower the agreed amount for your property or interest.

4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.

5. Prior approval from Regional Underwriting must be obtained if the subject transaction involves the proposed issuance of (i) an Owner's Policy to a person or entity who purchased the subject property at a foreclosure sale, or (ii) a Loan Policy insuring a lien granted by such person or entity on the subject property.

6. As of the issue date of this title commitment: If an attorney has not been predetermined by the Seller(s)/Buyer(s)/Borrower(s) in the proposed transaction, we may order legal documents and pay a document preparation fee to Heath Hyde, Attorney at Law, and Hopkins County Title Resources (HCTR).

7. This transaction must be disbursed in accordance with the "Good Funds" Procedural Rule 27 (P-27) promulgated by the Texas Department of Insurance implementing Article 9.39A of the Texas Insurance Code.

8. The Company requires a legible copy of current drivers license or other government issued photo ID of the parties to the closing.

9. The Company may make additional exceptions and/or requirements upon its review of the documents created/required in this proposed transaction.

10. The Owner(s) must execute and deliver to the Company an acceptable Affidavit as to Debts, Liens and Possession in connection with the closing of this transaction.

11. The Buyer(s) must execute and deliver to the Company an acceptable Waiver of Inspection and Approval of Title Policy Exceptions in connection with the closing of this transaction.

12. The Company must downdate this title commitment prior to the closing and funding of this transaction. Upon completion, the company reserves the right to make additional exceptions and/or requirements.
13. NOTICE TO ALL PARTIES IN THIS TRANSACTION: Schedule A of this commitment contains the legal description for the property the Title Company understands is to be insured. Should this legal description differ from what the Seller/Buyer/Lender wants insured, the Company must be notified PRIOR to closing, at which time the closing will be delayed until all of the title work is done on the agreed upon subject property and a new commitment is issued. Closing of the transaction shall indicate acceptance by the Seller/Buyer/Lender of the property described in Schedule A of this commitment and the subsequent Title Policy (ies).

14. Pay property taxes for 2019 and prior years to the Hopkins County Tax Assessor/Collector, collecting for Hopkins County, Memorial Hospital, the City of Sulphur Springs and Sulphur Springs I.S.D., and secure tax certificates showing all taxes are paid in full.

15. The Company requires a copy of the partnership agreement for Mahealani Ranch, a Hawaii Partnership and together with any amendments thereto; and a certificate of formation and certificate of good standing. The Company reserves the right to make further exceptions and/or requirements upon review and examination of same.

16. The Company requires for its review a copy of the Certificate of Formation, Certificate of Good Standing, Company Agreement and Unanimous Consent Resolution, if applicable of MVAH Holdings, LLC, a Georgia limited liability company, to determine the authority of the person(s) signing on behalf of said limited liability company. The Company reserves the right to make additional exceptions and/or requirements deemed necessary after reviewing the same.

17. If the property described in Schedule A herein is homestead property, the lien to be insured must meet the constitutional guidelines regarding valid liens on homestead property. If the property described in Schedule A herein is non-homestead property, the Company requires satisfactory evidence of same, and the Company further requires a fully executed and notarized designation of the borrower's present homestead and a disclaimer as to homestead rights in property described in Schedule A herein, and may require the joinder of a disinterested third party in the making of such designation and disclaimer.

18. The Company must be furnished with a copy of the proposed documents creating the interest in the land and/or the mortgage to be insured prior to any closing and funding under this title commitment. Additional exceptions and/or requirements may be added upon examination of the same.

19. If Hopkins County Abstract will be the "Issuing Agent" in this transaction, further exceptions and/or requirements may be added before any closing and funding under this title commitment.

20. Note – Important Notice

You have the right to have your funds deposited in an interest-bearing account.

If you choose to establish an interest-bearing account for your deposit, notify your escrow officer immediately. Thereafter you will be provided with a Notice of Election form which you should complete in writing by completing and returning the form, along with your taxpayer identification information, not later than five (5) days before the scheduled closing. If you choose to establish an interest-bearing account for your deposit, an additional charge of $50.00 will be required. This charge may exceed the amount of interest to be earned on the deposit, depending on the amount, applicable interest rate, and the duration of the deposit.

As an example, the amount of interest you can earn on a deposit of $1000.00 for a thirty-day period at an interest rate of 4% is $3.33. Interest earned is dependent on the amount of deposit, time of deposit and the applicable interest rate.

If you do not choose to establish an interest-bearing account for your deposit, your funds will be deposited with other escrow funds in your escrow agent's general escrow account with an authorized financial institution and may be transferred to another general escrow account or accounts. By reason of the banking relationship between our
Company and the financial institution, the Company may receive an array of bank services, accommodations or other benefits. The escrow funds will not be affected by such services, accommodations or other benefits.

Failure to notify your escrow officer and complete the additional required investment authorization form shall constitute waiver of any intention of establishing an interest-bearing account for your deposit(s).

21. Except in an exempt transaction, the Company must be furnished with seller’s social security number or tax identification number and all other information necessary to complete IRS Form 1099-S.

22. The Company and its policy issuing agents are required by Federal law to collect additional information about certain transactions in specified geographic areas in accordance with the Bank Secrecy Act. If this transaction is required to be reported under a Geographic Targeting Order issued by FinCEN, the Company or its policy issuing agent must be supplied with a completed ALTA Information Collection Form (“ICF”) prior to closing the transaction contemplated herein.

23. As to any document creating your title or interest that will be executed or recorded electronically, or notarized pursuant to an online notarization, the following requirements apply:

- Confirmation prior to closing that the County Clerk of Hopkins County, Texas has approved and authorized electronic recording of electronically signed and notarized instruments in the form and format that is being used.
- Electronic recordation of the instruments to be insured in the Official Public Records of Hopkins County, Texas.
- Execution of the instruments to be insured pursuant to the requirements of the Texas Uniform Electronic Transactions Act, Chapter 322 of the Business and Commerce Code.
- Acknowledgement of the instruments to be insured by a notary properly commissioned as an online notary public by the Texas Secretary of State with the ability to perform electronic and online notarial acts under 1 TAC Chapter 87.
SCHEDULE D

Commitment No.: 8000551900069

Pursuant to the requirements of Rule P-21, Basic Manual of Rules, Rates and Forms for the writing of Title Insurance in the State of Texas, the following disclosures are made:

1. The issuing Title Insurance Company, Chicago Title Insurance Company, is a corporation whose shareholders owning or controlling, directly or indirectly, 10% of said corporation, directors and officers are listed below:
   - **Shareholders:** Fidelity National Title Group, Inc. which is owned 100% by FNTG Holdings, LLC which is owned 100% by Fidelity National Financial, Inc.
   - **Directors:** Raymond Randall Quirk, Anthony John Park, Marjorie Nemzura, Michael J. Nolan, Edson N. Burton, Jr.
   - **Officers:** Raymond Randall Quirk (President), Anthony John Park (Executive Vice President), Marjorie Nemzura (Secretary), Daniel Kennedy Murphy (Treasurer)

2. The following disclosures are made by the Title Insurance Agent issuing this Commitment:
   - **Chicago Title of Texas, LLC**
     - (a) A listing of each shareholder, owner, partner, or other person having, owning or controlling one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium.
     - **Owners:** FNTS Holdings, LLC owns 100% of Alamo Title Holding Company, which owns 100% of Chicago Title of Texas, LLC
     - (b) A listing of each shareholder, owner, partner, or other person having, owning or controlling 10 percent (10%) or more of an entity that has, owns or controls one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium.
     - **Owners:** FNTG Holdings, LLC owns 100% of FNTS Holdings, LLC
     - (c) If the Agent is a corporation: (i) the name of each director of the Title Insurance Agent, and (ii) the names of the President, the Executive or Senior Vice-President, the Secretary and the Treasurer of the Title Insurance Agent.
     - **Officers/Directors:** Raymond Randall Quirk (President), Marjorie Nemzura (Secretary), Joseph William Grealish (Executive Vice President), Daniel Kennedy Murphy (Treasurer), John Tannous (President and County Manager), Gayle Brand (President and County Manager), Brian K. Baize (President and County Manager), Carlos E. Valdes (President and County Manager), Robert B. Kuhn (President and County Manager)
     - (d) The name of any person who is not a full-time employee of the Title Insurance Agent and who receives any portion of the title insurance premium for services performed on behalf of the Title Insurance Agent in connection with the issuance of a title insurance form; and, the amount of premium that any such person shall receive. **NONE.**
     - (e) For purposes of this paragraph 2, "having, owning or controlling" includes the right to receipt of a percentage of net income, gross income, or cash flow of the Agent or entity in the percentage stated in subparagraphs (a) or (b).

3. You are entitled to receive advance disclosure of settlement charges in connection with the proposed transaction to which this commitment relates. Upon your request, such disclosure will be made to you. Additionally, the name of any person, firm or corporation receiving a portion of the premium from the settlement of this transaction will be disclosed on the closing or settlement statement. You are further advised that the estimated title premium* is:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner's Policy</td>
<td>$1,201.00</td>
</tr>
<tr>
<td>Loan Policy</td>
<td>$100.00</td>
</tr>
<tr>
<td>Endorsement Charges</td>
<td>$75.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$1,376.00</td>
</tr>
</tbody>
</table>

Of this total amount: 15% will be paid to the policy issuing Title Insurance Company; 25% will be retained by the issuing Title Insurance Agent; and the remainder of the estimated premium will be paid to other parties as follows:

<table>
<thead>
<tr>
<th>Percent/Amount</th>
<th>To Whom</th>
<th>For Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>60%</td>
<td>Coats Rose P.C.</td>
<td>Closing The Transaction</td>
</tr>
</tbody>
</table>

*The estimated premium is based upon information furnished to us as of the date of this Commitment for Title Insurance. Final determination of the amount of the premium will be made at closing in accordance with the Rules and Regulations adopted by the Commissioner of Insurance.
LEGAL DESCRIPTION

Order No.: 8000551900069

All that certain lot, tract or parcel of land being LOT 1 and LOT 4 of the JEWELL & MORRIS ADDITION, a subdivision located in the Jose Y'Barbo Survey, A-1102 of Hopkins County, Texas, according to the map or plat thereof recorded in Volume 6, Page 228, Map Records, Hopkins County, Texas.

NOTE: THE COMPANY IS PROHIBITED FROM INSURING THE AREA OR QUANTITY OF THE LAND DESCRIBED HEREIN. ANY STATEMENT IN THE LEGAL DESCRIPTION OF THE AREA OR QUANTITY OF LAND IS NOT A REPRESENTATION OF SUCH AREA OR QUANTITY, BUT IS FOR INFORMATIONAL, AND/OR IDENTIFICATION PURPOSE AND DOES NOT OVERRIDE ITEM 2 OF SCHEDULE B HEREOF.
AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE STATEMENT
(Exhibit D in 24 CFR §3500)

Date: 
To: Mahealani Ranch, a Hawaii general partnership

Property: 5.43 Acres, Sulphur Springs, TX 75482

This is to give you notice that Chicago Title of Texas, LLC, a subsidiary of Fidelity National Financial, Inc. has a business relationship with the settlement service providers listed below to which you have been referred. Each of the companies listed below is One-Hundred Percent (100%) owned directly or indirectly by Fidelity National Financial, Inc. Because of this relationship, this referral may provide Chicago Title of Texas, LLC with a financial or other benefit.

Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the listed providers as a condition for the consummation of the transaction involving the above referenced property.

Settlement Service Provider: National TaxNet
Type of Settlement Provided: Tax Information
Range of Charges: $22.50 to $80 including sales tax and $5 for each additional parcel over 3 parcels

There are frequently other settlement service providers available who offer similar services. You are free to shop around to determine that you are receiving the best services and the best rate for these services.

Acknowledgment
I/We have read this disclosure form and understand that Chicago Title of Texas, LLC is referring me/us to purchase the above described settlement services and may receive a financial or other benefit as the result of this referral.
Title insurance insures you against loss resulting from certain risks to your title.

The commitment for Title Insurance is the title insurance company's promise to issue the title insurance policy. The commitment is a legal document. You should review it carefully to completely understand it before your closing date.

El seguro de título le asegura en relación a perdidas resultantes de ciertos riesgos que pueden afectar el título de su propiedad.

El Compromiso para Seguro de Título es la promesa de la compañía aseguradora de títulos de emitir la póliza de seguro de título. El Compromiso es un documento legal. Usted debe leerlo cuidadosamente y entenderlo completamente antes de la fecha para finalizar su transacción.

Your Commitment for Title insurance is a legal contract between you and us. The Commitment is not an opinion or report of your title. It is a contract to issue you a policy subject to the Commitment's terms and requirements.

Before issuing a Commitment for Title Insurance (the Commitment) or a Title Insurance Policy (the Policy), the Title Insurance Company (the Company) determines whether the title is insurable. This determination has already been made. Part of that determination involves the Company's decision to insure the title except for certain risks that will not be covered by the Policy. Some of these risks are listed in Schedule B of the attached Commitment as Exceptions. Other risks are stated in the Policy as Exclusions. These risks will not be covered by the Policy. The Policy is not an abstract of title nor does a Company have an obligation to determine the ownership of any mineral interest.

--MINERALS AND MINERAL RIGHTS may not be covered by the Policy. The Company may be unwilling to insure title unless there is an exclusion or an exception as to Minerals and Mineral Rights in the Policy. Optional endorsements insuring certain risks involving minerals, and the use of improvements (excluding lawns, shrubbery and trees) and permanent buildings may be available for purchase. If the title insurer issues the title policy with an exclusion or exception to the minerals and mineral rights, neither this Policy, nor the optional endorsements, insure that the purchaser has title to the mineral rights related to the surface estate.

Another part of the determination involves whether the promise to insure is conditioned upon certain requirements being met. Schedule C of the Commitment lists these requirements that must be satisfied or the Company will refuse to cover them. You may want to discuss any matters shown in Schedules B and C of the Commitment with an attorney. These matters will affect your title and your use of the land.

When your Policy is issued, the coverage will be limited by the Policy's Exceptions, Exclusions and Conditions, defined below.

---EXCEPTIONS are title risks that a Policy generally covers but does not cover in a particular instance. Exceptions are shown on Schedule B or discussed in Schedule C of the Commitment. They can also be added if you do not comply with the Conditions section of the Commitment. When the Policy is issued, all Exceptions will be on Schedule B of the Policy.

---EXCLUSIONS are title risks that a Policy generally does not cover. Exclusions are contained in the Policy but not shown or discussed in the Commitment.

---CONDITIONS are additional provisions that qualify or limit your coverage. Conditions include your responsibilities and those of the Company. They are contained in the Policy but not shown or discussed in the Commitment. The Policy Conditions are not the same as the Commitment Conditions.
You can get a copy of the policy form approved by the Texas Department of Insurance by calling the Title Insurance Company at 1-800-442-7067 or by calling the title insurance agent that issued the Commitment. The Texas Department of Insurance may revise the policy form from time to time.

You can also get a brochure that explains the policy from the Texas Department of Insurance by calling 1-800-252-3439.

Before the Policy is issued, you may request changes in the policy. Some of the changes to consider are:

---Request amendment of the "area and boundary" exception (Schedule B, paragraph 2). To get this amendment, you must furnish a survey and comply with other requirements of the Company. On the Owner's Policy, you must pay an additional premium for the amendment. If the survey is acceptable to the Company and if the Company's other requirements are met, your Policy will insure you against loss because of discrepancies or conflicts in boundary lines, encroachments or protrusions, or overlapping of improvements. The Company may then decide not to insure against specific boundary or survey problems by making special exceptions in the Policy. Whether or not you request amendment of the "area and boundary" exception, you should determine whether you want to purchase and review a survey if a survey is not being provided to you.

---Allow the Company to add an exception to "rights of parties in possession." If you refuse this exception, the Company or the title insurance agent may inspect the property. The Company may except to and not insure you against the rights of specific persons, such as renters, adverse owners or easement holders who occupy the land. The Company may charge you for the inspection. If you want to make your own inspection, you must sign a Waiver of Inspection form and allow the Company to add this exception to your Policy.

The entire premium for a Policy must be paid when the Policy is issued. You will not owe any additional premiums unless you want to increase your coverage at a later date and the Company agrees to add an Increased Value Endorsement.
DELETION OF ARBITRATION PROVISION  
(Not applicable to the Texas Residential Owner's Policy)

ARBITRATION is a common form of alternative dispute resolution. It can be a quicker and cheaper means to settle a dispute with your Title Insurance Company. However, if you agree to arbitrate, you give up your right to take the Title Insurance Company to court and your rights to discovery of evidence may be limited in the arbitration process. In addition, you cannot usually appeal an arbitrator's award.

Your policy contains an arbitration provision (shown below). It allows you or the Company to require arbitration if the amount of insurance is $2,000,000 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. You can do this by signing this form and returning it to the Company at or before the closing of your real estate transaction or by writing to the Company.

The arbitration provision in the Policy is as follows:

“Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association (“Rules”). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured, unless the Insured is an individual person (as distinguished from an Entity). All arbitrable matters when the Amount of Insurance is in excess of $2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.”

_________________________________________  __________________________
Signature                                               Date
FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE
Revised May 1, 2018

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FN," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

Types of Information Collected
We may collect two types of information from you: Personal Information and Browsing Information.

Personal Information. FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g., Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g., loan or bank account information); and
- other personal information necessary to provide products or services to you.

Browsing Information. FNF may automatically collect the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or mobile device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

How Personal Information is Collected
We may collect Personal Information about you from:

- information we receive from you on applications or other forms;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

How Browsing Information is Collected
If you visit or use an FNF Website, Browsing Information may be collected during your visit. Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics
Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.
Links to Other Sites. FNF Websites may contain links to other websites. FNF is not responsible for the privacy practices or the content of any of those other websites. We advise you to read the privacy policy of every website you visit.

Use of Personal Information
FNF uses Personal Information for three main purposes:
• To provide products and services to you or in connection with a transaction involving you.
• To improve our products and services.
• To communicate with you about our, our affiliates’, and third parties’ products and services, jointly or independently.

When Information Is Disclosed
We may make disclosures of your Personal Information and Browsing Information in the following circumstances:
• to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
• to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
• to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
• to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
• in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Please see "Choices With Your Information" to learn the disclosures you can restrict.

Security of Your Information
We maintain physical, electronic, and procedural safeguards to guard your Personal Information. We limit access to nonpublic personal information about you to employees who need to know that information to do their job. When we provide Personal Information to others as discussed in this Privacy Notice, we expect that they process such information in compliance with our Privacy Notice and in compliance with applicable privacy laws.

Choices With Your Information
If you do not want FNF to share your information with our affiliates to directly market to you, you may send an "opt out" request by email, phone, or physical mail as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.
For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children
The FNF Websites are meant for adults and are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users
FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans
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Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn:  Chief Privacy Officer
APPENDIX IV

REGULATORY INFORMATION
Regulatory Database Search

Job Number: 202002012
Report Date: February 6, 2020

Property:

202002012
Sulphur Springs, TX 202002012

Prepared For:

Phase Engineering, Inc.
5524 Cornish St.
Houston, TX 77007

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## Search Summary

**Job Number:** 202002012

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*Adjoining properties are defined as being within a search radius of 0.25 mi. from the subject property boundaries.

**SEMS includes CERCLIS, NPL, NPL delisted, NFRAP, and IC/EC

***RCRA includes RCRA and IC/EC
Search Summary

Job Number: 202002012

Ungeocodables Summary

Zipcode: Ungeocoded Sites:
## Site Summary

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**Facility Information:**

- **Facility ID:** 12114
- **Facility Name:** JOE BOBS 2
- **Facility Type:** RETAIL
- **Facility Begin Date:** 08/31/1989
- **Facility Status:** ACTIVE
- **Number of Active USTs:** 1
- **Number of Active ASTs:** 0
- **Facility Contact:** COREY BURGIN
- **Facility Contact Title:** VP
- **Facility Contact Phone:** 9038852299

**Owner Information:**

- **Owner Name:** SULPHUR SPRINGS JOE BOBS S
- **Owner ID:** CN600960116
- **Owner Type:** CO
- **Contact Mailing Address:** PO BOX 746 SULPHUR SPRINGS, TX 75483
- **Contact Phone:** 9038852299

**Operator Information:**

- **Operator CN:** CN600960116
- **Operator Name:** SULPHUR SPRINGS JOE BOBS STOR
- **Effective Date:** 09/01/1989
- **Operator Type:** CO

**Tank Details:**

- **UST ID:** 188536
- **Tank ID:** 1
- **Number of Compartments:** 3
- **Tank Capacity (in gallons):** 4000
- **Tank Installation Date:** 05/01/1998
- **Tank Registration Date:** 11/24/1998
- **Current Status Date:** 05/01/1998

**Compartment Details:**

1. **Tank ID:** 1
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   - **Capacity (in gallons):** 12000
   - **Substance Stored 1:** GASOLINE
   - **Substance Stored 2:**
   - **Substance Stored 3:**

2. **Tank ID:** 1
   - **Compartment ID:** B
   - **Capacity (in gallons):** 4000
   - **Substance Stored 1:** GASOLINE
   - **Substance Stored 2:**
   - **Substance Stored 3:**

3. **Tank ID:** 1
   - **Compartment ID:** C
   - **Capacity (in gallons):** 4000
   - **Substance Stored 1:** DIESEL
   - **Substance Stored 2:**
   - **Substance Stored 3:**

**Tank Details:**

- **UST ID:** 31615
- **Tank ID:** 1A
- **Number of Compartments:** 1
- **Tank Capacity (in gallons):** 8000
- **Tank Status:** REMOVED FROM GROUND
- **Tank Installation Date:** 01/01/1984
- **Tank Registration Date:** 05/08/1986
- **Current Status Date:** 05/30/1998

**Compartment Details:**

- **Tank ID:** 1A
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  - **Capacity (in gallons):** 8000
  - **Substance Stored 1:** GASOLINE
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  - **Substance Stored 3:**
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DISTANCE: 0.315 E  
SULPHUR SPRINGS TX 75482

FACILITY INFORMATION
EPA ID Number: TXD980697825  
Site ID Number: 0602769  
Site Name: SULPHUR SPRINGS LANDFILL  
Site Status: Archived  
County: HOPKINS  
Federal Facility Indicator: N  
NPL Status: Not on the NPL  
Non-NPL Status: NFRAP-Site does not qualify for the NPL based on existing information  
Superfund Alternative Agreement?: N  
Site Discovery Assessment 1:

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NPL SITE DETAILS
NPL Site Type: Not an NPL Site

SMELTER RELATED OPERATIONS

Contaminant Name:  
Chain of Custody Indicator:  
NPL Status: Native American Interest?  
Federal Facility?  
Primary Site Subtype  
Non-Primary Site Subtype  
Special Initiative

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**DISTANCE:** 0.315 E

**Site Name:** BRIGHT STAR ORGANICS INC
**MSW Authorization Number:** 47015
**Reference Number:** RN103197612
**Facility Type:** 5RC
**Operational Status:** CLOSED
**Permit Status:** WITHDRAWN
**Facility Address:**
1313 LEAGUE ST S
SULPHUR SPRINGS, TX

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**Map ID:** 5

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<td>04/30/2014</td>
</tr>
<tr>
<td>Date Entered</td>
<td>09/09/2014</td>
</tr>
<tr>
<td>Closure Date</td>
<td>02/14/2018</td>
</tr>
<tr>
<td>TCEQ Region</td>
<td>REGION 05 - TYLER</td>
</tr>
<tr>
<td>Priority Code</td>
<td>3.2 - IMPACTED GW W/IN 500FT-0.25MI TO SW USED BY HUMANENDGR SPEC</td>
</tr>
<tr>
<td>Status Code</td>
<td>6A - FINAL CONCURRENCE ISSUED</td>
</tr>
<tr>
<td>Program Area</td>
<td>1 - RPR</td>
</tr>
<tr>
<td>MAP ID</td>
<td>HAZARD TYPE: LPST</td>
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<td>6</td>
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</tr>
</tbody>
</table>

**DISTANCE:** 0.488 SE

**LPST INFORMATION:**

- **LPST ID:** 105661
- **Facility Name:** GULF EXAM MOTORS
- **TCEQ Reference Number:** RN102403193
- **Facility ID:** 63735
- **Discovered:** 11/25/1992
- **Reported:** 12/17/1992
- **Date Entered:** 02/05/1993
- **Closure Date:** 11/06/1995
- **TCEQ Region:** REGION 05 - TYLER
- **Priority Code:** 5 - MINOR SOIL CONTAMINATION - DOES NOT REQUIRE A RAP
- **Status Code:** 6A - FINAL CONCURRENCE ISSUED
- **Program Area:** 1 - RPR
FACILITY ADDRESS: 203 LOCUST
SULPHUR SPRINGS TX 75482

FACILITY INFORMATION
EPA ID Number: TXD988033049
Site ID Number: 0604393
Site Name: DEMPCO PAINT & MANUFACTURING CO., INC.
Site Status: Archived
County: HOPKINS
Federal Facility Indicator: N
NPL Status: Not on the NPL
Non-NPL Status: Referred to Removal - NFRAP
Superfund Alternative Agreement?: N

Site Discovery Assessment 1:

Site Discovery Assessment 2:

ACTION DETAILS:

<table>
<thead>
<tr>
<th>Operating Unit</th>
<th>Action Code</th>
<th>Action Name</th>
<th>Start Date:</th>
<th>Finish Date:</th>
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<td>PA</td>
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<td>5:00:00 AM</td>
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<tr>
<td>00</td>
<td>VS</td>
<td>ARCH SITE</td>
<td>7/11/1989</td>
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<td></td>
</tr>
</tbody>
</table>

NPL SITE DETAILS
NPL Site Type: Not an NPL Site

SMELTER RELATED OPERATIONS

CONTAMINANT NAME: Chain of Custody Indicator: NPL Status: Native American Interest?
Federal Facility? Primary Site Subtype Non-Primary Site Subtype Special Initiative

RECORDS OF DECISION:

<table>
<thead>
<tr>
<th>Action Name:</th>
<th>Operable Unit Name:</th>
<th>Sequence ID:</th>
<th>Actual Completion Date:</th>
<th>NPL Status:</th>
<th>Non NPL Status:</th>
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REMEDY COMPONENT DATA FOR DECISION DOCUMENTS BY MEDIA:

<table>
<thead>
<tr>
<th>For Year:</th>
<th>Decision Document Type:</th>
<th>Actual Completion Date:</th>
<th>Media:</th>
<th>Remedy Component:</th>
</tr>
</thead>
</table>
### ungeocodables

The following sites were not geocoded due to mapping and/or database limitations. These sites are believed to be within the subject sites zip code or in an adjacent zip code within 1/2 mile of the subject property, but due to database inaccuracies, no guarantees can be made that these sites actually exist within the zip code nor can it be guaranteed that the listed sites are the only sites in the zip code.

The following ZIP codes have been searched for ungeocodables: 75482

<table>
<thead>
<tr>
<th>Facility ID</th>
<th>Type</th>
<th>Facility Name</th>
<th>Street Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>No ungeocoded Sites</td>
</tr>
</tbody>
</table>
DATA SOURCES

SEMS Superfund Enterprise Management System - Effective January 31, 2014, the Superfund program decommissioned CERCLIS and transitioned to the Superfund Enterprise Management System (SEMS). CERCLIS (Comprehensive Environmental Response, Compensation and Liability Information System) was a database used by the U.S. Environmental Protection Agency (EPA) to track activities under its Superfund program. The reports previously generated by the CERCLIS legacy system are now updated with SEMS – the Superfund Enterprise Management System – and include the same data and content. This database is the source for CERCLIS, NPL, NPL Delisted, NFRAP and IC/EC.

RCRA Resource Conservation and Recovery Act Information - RCRAInfo is the U.S. Environmental Protection Agency’s comprehensive information and inventory system that supports the RCRA (1976) and HSWA (1984) through the tracking of events and activities regarding permit/closure status, compliance with Federal and State regulations and cleanup activities at facilities that generate, treat, store or dispose of hazardous waste. Information on cleaning up after accidents or other activities that result in a release of hazardous materials to the water, air or land is also reported through RCRAInfo. Corrective Action is a requirement under RCRA which requires TSD facilities owners and operators to investigate and cleanup hazardous waste releases into soil, groundwater, surface water and air.

ACRES Assessment, Cleanup and Redevelopment Exchange System (EPA Brownfield) - The EPA’s ACRES database stores information reported by EPA Brownfield Grantees on Brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. Recipients are awarded EPA Brownfields funding to address hazardous substances and/or petroleum contamination at brownfield properties. The EPA’s Brownfields Program is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields.

Land Use Controls (LUCs) - Land Use controls may consist of Institutional Controls (ICs) and Engineering Controls (ECs). LUCs help to minimize the potential for exposure to contamination and/or protect the integrity of a response action and are typically designed to work by limiting land and/or resource use or by providing information that helps modify or guide human behavior at a site. Institutional Controls (ICs) are non-engineering measures and are almost always used in conjunction with, or as a supplement to, other measures such as waste treatment or containment. There are four categories of ICs; Governmental Controls (zoning restrictions, ordinances, statutes, building permits or other provisions that restrict land or resource use at a site), Proprietary Controls (easements, covenants, Deed Restrictions), Enforcement and Permit Tools (consent decrees, administrative orders), and Informational Devices (State Registries of contaminated sites, deed notices and advisories). ICs are used when contamination is first discovered, when remedies are ongoing and when residual contamination remains onsite at a level that does not allow for unlimited use and unrestricted exposure after cleanup. Engineering Controls (ECs) encompass a variety of engineered and constructed physical barriers to contain and/or prevent exposure to contamination on a property. ECs are often installed during cleanup as a condition of a no further action determination and are generally intended to be in place for long periods of time.

ERNS Emergency Response Notification System – is the database used to store information on notifications of oil discharges and hazardous substances release. The ERNS program is a cooperative data sharing effort among the Environmental Protection Agency (EPA) Headquarters, the Department of Transportation (DOT), National Transportation Systems Center (NTSC), the ten EPA Regions, the U.S. Coast Guard (USCG), and the National Response Center (NRC). ERNS provide the most comprehensive data compiled on notifications of oil discharges and hazardous substances releases in the United States. The types of release reports that are available in ERNS fall into three major categories: substances designated as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; oil and petroleum products (Clean Water Act of 1972), as amended by the Oil Pollution Act of 1990; and all other types of materials. EARNS is a database of initial notifications and not incidents, so there are limitations to the data. There may be multiple reports for a single incident, and because reports are taken over the phone, misspellings, and locational information limit the quality of some data.

State Superfund Registry in Texas - was established by the 69th Texas Legislature in 1985 and administered by TCEQ lists those abandoned or inactive sites that have serious contamination but do not qualify for the federal program, and therefore are cleaned up under the state program. The state must comply with federal guidelines in administering the state Superfund program, but EPA approval of the state Superfund actions is not required. The Remediation Division manages Superfund sites, or provides management assistance to EPA on RP-lead Superfund sites, after the site is identified as being eligible for listing on either the state Superfund registry or the federal National Priorities List (NPL).

Municipal Solid Waste – MSW data is provided by the State and the state’s 24 Councils of Governments (COGs) which have been designated as the regional municipal solid waste planning entities for Texas and are responsible for developing municipal solid waste management plans (regional plans) to encourage regional approaches to providing services and reducing MSW generation. Data on Municipal Solid Waste Facilities in Texas includes:
- MSW-Facilities (MSW) - Issued permits and other authorizations as well as pending applications for municipal solid waste landfills and processing facilities that are active, inactive, or not yet constructed.
- MWS-Closed (MSW-C) - Issued and revoked permits and other authorizations for municipal landfills and processing facilities that have closed, and applications that were withdrawn or denied.
- Closed Landfill Inventory (CLI) - Historical information listing old, closed unnumbered MSW landfills that were operated before permits were required, as well as unauthorized landfills, and miscellaneous illegal dumps and disposal site. Approximately 4200 sites were compiled in 1993, by the TCEQ in conjunction with Southwest Texas State University and the 24 COG's in Texas; estimated point locations were mapped and available historical information was collected into a database for each county and COG.

TCEQ Petroleum Storage Tank Program (PST) - regulates underground storage tanks (USTs), and to a lesser extent, aboveground storage tanks (ASTs), containing petroleum or hazardous substances. The PST Program has established action levels and screening criteria for PST chemicals of concern (COCs), to help determine whether sites must be assigned an LPST number and further investigation.

TCEQ Leaking Petroleum Storage Tanks (LPST) data – is maintained the Remediation Division oversees the cleanup of petroleum substance and hazardous releases from regulated aboveground and underground storage tanks.
DATA SOURCES

TCEQ Release Determination Reports (RDR) – are reported to the PST Program and maintained by the Remediation Division. These are used to report the results from an investigation of a suspected or confirmed release. A RDR is not always associated with a registered LPST or PST site. The RDR dataset included in this search is limited.

TCEQ Innocent Owner / Operator Program (IOP) The Texas IOP created by House Bill 2776 of the 75th Legislature, provides a certificate to an innocent owner or operator if their property is contaminated as a result of a release or migration of contaminants from a source or sources not located on the property, and they did not cause or contribute to the source or sources of contamination.

TCEQ Voluntary Cleanup Program (VCP) - provides administrative, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas. Since all non-responsible parties, including future lenders and landowners, receive protection from liability to the state of Texas for cleanup of sites under the VCP, most of the constraints for completing real estate transactions at those sites are eliminated. As a result, many unused or under used properties may be restored to economically productive or community beneficial use. Also under the VCP, site cleanups follow a streamlined approach to reduce future human and environmental risk to safe levels. The Texas Voluntary Cleanup Program (VCP) Database provides general information on contaminated sites addressed under the Texas VCP. Institutional and Engineering Controls (IC) are included in the VCP database.

TCEQ Brownfields Site Assessments (BSA) – The BSA Program administers a grant provided by the EPA to perform Brownfields site assessment for local governments and non-profit organizations who are not responsible parties. TCEQ works in close partnership with the EPA and other federal, state, and local redevelopment agencies, and stakeholders, to facilitate cleanup, transfer and revitalization of Brownfields through the development of regulatory, tax, and technical assistance tools.

TCEQ Industrial and Hazardous Waste Program (IHWP) – The Texas Commission on Environmental Quality (TCEQ) oversees both wastes generated in Texas and those generated outside the state and sent to Texas for treatment, storage, and disposal, hazardous waste is one that is listed as such by the EPA or that exhibits one or more hazardous characteristics (ignitability, reactivity, corrosiveness, or toxicity). Owners or operators of hazardous waste management units must have permits during the active life (including the closure period) of the unit and are subject to both state and federal requirements. The Industrial and Hazardous Waste Datasets are statewide files from the TRACs-IHW system that include the permitting and annual reporting of industrial and hazardous wastes to the TCEQ.

TCEQ Industrial and Hazardous Waste Corrective Action Program (IHWCA) - The Remediation Division of the TCEQ oversees the Corrective Action Program. Corrective Action is triggered when there is a documented release of hazardous waste constituents to the environment; these releases are the result of the past and present activities at RCRA-regulated facilities. The Corrective Action process includes the investigation/evaluation, and if necessary remediation and cleanup of any contaminated air, groundwater, surface water, or soil of hazardous waste management spills or releases from waste management units and release areas, to ensure protection of human health and the environment. Corrective action requirements apply to all solid waste management units and areas of concern at a facility requiring regulatory agency permitting or closure.

Dry Cleaner Registration (DCR) - State law requires that all dry-cleaning drop stations and facilities register annually with the TCEQ, which implements performance standards at these facilities as appropriate.

TCEQ Dry Cleaner Remediation Program (DCRP) - was established under House Bill 1366 (Sept. 1, 2003) which established new environmental standards for dry cleaners and a remediation fund to assist with remediation of contamination caused by dry cleaning solvents. The program establishes a prioritization list of dry cleaner sites and administers the Dry Cleaning Remediation fund.

Municipal Setting Designations (MSD) - is an official state designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the application potable-water protective concentration level. The prohibition must be in the form of a city ordinance or a restrictive covenant that is enforceable by the city and filed in the property records. MSD is managed by the Remediation Division.

Railroad Commission of Texas Brownfields Response Program (BRP) - The Railroad Commission of Texas (RRC) regulates the exploration, production and transportation of oil and natural gas in Texas. The Brownfields response program (BRP) is designed to identify brownfields associated with oil and gas activities and to promote voluntary cleanup by providing federal grant funding for environmental site assessments. The objective of the BRP is to restore brownfields properties in communities across Texas by increasing the redevelopment potential of abandoned oil and gas sites.

Railroad Commission of Texas Voluntary Cleanup Program (RRC-VCP) - The purpose of the voluntary cleanup program is to provide an incentive to cleanup property contaminated by activities under Railroad Commission jurisdiction by removing the liability to the state of lenders, developers, owners, and operators who did not cause or contribute to contamination (a waste, pollutant or other substance or material regulated by or that results from an activity under the jurisdiction of the RRC) released at the site. The program is restricted to voluntary actions but does not replace other voluntary actions.
DATA SOURCES

Tribal Databases — The United States has a unique legal relationship with federally-recognized Indian tribes based on the Constitution, treaties, statutes, executive orders and court decisions. The EPA became the first federal agency to adopt a formal Indian Policy (1984) of working with tribes on a government-to-government basis. There are 561 federally-recognized tribes within the United States. Each tribe is an independent, sovereign nation, responsible for setting standards, making environmental policy, and managing environmental programs for its people. In Texas, these include the Alabama-Coushatta Tribe of Texas, Kickapoo Traditional Tribe of Texas, and the Ysleta Del Sur Pueblo of Texas. The EPA Region 6 Tribal Team members work as liaisons and partner with Tribes in Region 6 on a government-to-government basis, consistent with their inherent sovereignty, assisting other EPA Divisions to resolve environmental issues, consult, and support the development of tribal environmental protection programs. The American Indian Environmental Office manages the Tribal Air, Compliance Enforcement, Waste, Solid Waste and Emergency Response (OSWER), Underground Storage Tanks, Water programs, Brownfields Land Revitalization, Emergency Management, Federal Facilities Restoration and Reuse Office, Office of Resource Conservation and Recovery, Office of Superfund Remediation and Technology Innovation and Office of Underground Storage Tanks (OUST) have tribal response programs or coordinate with Indian tribes. Tribal facility information within these programs is reported through the EPA.
APPENDIX V

INTERVIEWS / ADDITIONAL INFORMATION
### ASTM Transaction Screen Questionnaire (Owner/Seller Questionnaire)

**Property Name and Address:**

**Consultant Name:** Phase Engineering, Inc.  
**Report No.:** 202002012

**Instructions:** Please submit this form via email to Diana@PhaseEngineering.com. If you have any questions, please call 832-485-2225. To submit by fax, send to Diana at 281-200-0060.

To fill out this form for email submission, place the cursor over the box in the column representing your answer and press the right mouse button once. Select the “Properties” option, and from there select “Default Value=Checked”. This will place an “X” in the appropriate place. Please select only one answer per question.

#### Please explain all “Yes” answers in the Comments section at the end.

<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Have you observed any evidence or do you have any prior knowledge that the <strong>property</strong> is used or has been used, in the past, as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, recycling facility, or chemical processing/manufacturing?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>2. Have you observed any evidence or do you have any prior knowledge that any <strong>adjoining property</strong> is used or has been used, in the past, as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>3. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, any damaged or discarded automotive or industrial batteries, pesticides, paints, or other chemicals in individual containers of greater than 5 gal (19 L) in volume or 50 gal (190 L) in aggregate, stored on or used at the <strong>property</strong> or at the facility?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>4. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, industrial <strong>drums</strong> (typically 55 gal (208 L)) or sacks of chemicals located on the <strong>property</strong> or at the facility?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>5. Did you observe evidence or do you have any prior knowledge that <strong>fill dirt</strong> has been brought onto the <strong>property</strong> that originated from a contaminated site or that originated from an unknown site?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>6. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, any <strong>pits, ponds, or lagoons</strong> located on the <strong>property</strong> in connection with waste treatment or waste disposal?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>7. Have you observed any evidence or do you have any prior knowledge that there is currently or has been previously any stained soil on the <strong>property</strong>?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>8. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, any registered or unregistered storage tanks (above or underground) located on the <strong>property</strong>?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>9. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the <strong>property</strong> or adjacent to any structure located on the <strong>property</strong>?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

Please email completed form to Diana@PhaseEngineering.com. If you have any questions, please call (832) 485-2225.
<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. Have you observed any evidence or do you have any prior knowledge that there is currently or has been previously, any evidence of leaks, spills or staining by substances other than water, or foul odors, associated with any flooring drains, walls, ceilings, or exposed grounds on the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>11. If the property is served by a private well or non-public water system, is there any evidence or do you have prior knowledge that contaminants been identified in the well or system that exceed guidelines applicable to the water system?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>12. If the property is served by a private well or non-public water system, is there any evidence or do you have prior knowledge that the well has been designated as contaminated by any government environmental/health agency?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>13. Does the owner, or occupant of the property have any knowledge of environmental liens or governmental notification relating to past or recurrent violations of environmental laws with respect to the property or any facility located on the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>14. Has the owner or occupant of the property been informed of any past or current existence of hazardous substances or petroleum products with respect to the property or any facility located on the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>15. Has the owner or occupant of the property been informed of the current existence of environmental violations with respect to the property or any facility located on the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>16. Does the owner or occupant of the property have any knowledge of any environmental site assessment of the property or facility that indicated the presence of hazardous substances or petroleum products on, or contamination of, the property or recommended further assessment of the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>17. Does the owner or occupant of the property know of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any hazardous substance or petroleum products involving the property by any owner or occupant of the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>18. Does the property discharge wastewater (not including sanitary waste or storm water) onto or adjacent to the property and/or into a storm water system or sanitary sewer system?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>19. Did you observe evidence or do you have any prior knowledge that any hazardous substances or petroleum products, unidentified waste materials, tires, automotive or industrial batteries or any other waste materials been dumped above grade, buried and/or burned, on the property?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>20. Is there a transformer, capacitor, or any hydraulic equipment for which there are any records indicating the presence of Polychlorinated biphenyls (PCBs)?</td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Please email completed form to: Diana@PhaseEngineering.com. If you have any questions, please call (832) 485-2225.
Please explain all “Yes” answers in the Comments section at the end.

<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>21. Have you observed or do you have any prior knowledge that there are</td>
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<tr>
<td>currently or have been, in the past, any water wells, oil and gas wells,</td>
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<tr>
<td>monitoring wells, injection wells, or pipelines on the property.</td>
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<tr>
<td>22. Have you observed or do you have any prior knowledge that there are</td>
<td></td>
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</tr>
<tr>
<td>currently or have been, in the past, any water wells, oil and gas wells,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>monitoring wells, injection wells, or pipelines on the adjoining</td>
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<td></td>
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<tr>
<td>properties.</td>
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<tr>
<td>23. Have you observed or do you have any prior knowledge that there are</td>
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<tr>
<td>currently or have been, in the past, any refuse or trash piles on the</td>
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<td></td>
</tr>
<tr>
<td>property.</td>
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<tr>
<td>24. Have you observed or do you have any prior knowledge that there are</td>
<td></td>
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<tr>
<td>currently or have been, in the past, any septic systems on the property.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25. Have you observed any evidence or do you have any prior knowledge</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>that the property is used or has been used, in the past, as a self-service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>laundry facility?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26. To the best of your knowledge, have there been any previous</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>environmental reports conducted for the property, i.e. Phase I or Phase</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>II reports?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27. To the best of your knowledge, is there a presence of lead based</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>paint or asbestos at the property?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

28. To the best of your knowledge, what was the historical use of the property?

Grazing pasture for cattle and horses and hay field

Completed By: Ziggy Jewell

Date: February 6, 2020

Name (print): Ziggy Jewell

Signature: [Signature]

Relationship to Property (owner, broker, attorney, etc.): Owner Representative

Years Associated with Property: 11

Firm:

Address: P.O. Box 620

City, State, ZIP Code: Kealakekua, HI 96750

Phone: (803) 870-8206

Email: zjewell@outlook.com

Comments on “Yes” Answers:

Please email completed form to Diana@PhaseEngineering.com. If you have any questions, please call (832) 485-2225.
User Responsibilities Questionnaire

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 all users must provide the following information (if available) to Phase Engineering, Inc. Failure to provide this information could result in a determination that "all appropriate inquiries" is not complete.

1) Environmental cleanup liens that are filed or recorded against the property (40 CFR 312.25).
   Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state or local law? □ Yes □ No

2) Activity and land use (AUL's) limitations that are in place on the property or that have been filed or recorded in a registry (40 CFR 312.26 (a)(1)(v) and (vi)).
   Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place on the property and/or have been filed or recorded against the property under federal, tribal, state or local law? □ Yes □ No

3) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).
   Do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business? □ Yes □ No

4) Relationship to the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).
   Does the purchase price being paid for this property reasonably reflect the fair market value of the property? □ Yes □ No
   If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property? □ Yes □ No □ N/A

5) Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).
   Are you aware of commonly known or reasonably ascertainable information about the property that would help Phase Engineering, Inc. to identify conditions indicative of releases or threatened releases? For example, as user,
   a. Do you know the past uses of the property? □ Yes □ No
   b. Do you know of specific chemicals that are present or once were present at the property? □ Yes □ No
   c. Do you know of spills or other chemical releases that have taken place at the property? □ Yes □ No
   d. Do you know of any environmental cleanups that have taken place at the property? □ Yes □ No

6) The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).
   Based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of releases at the property? □ Yes □ No

Comments from Questions 1-6:


Please have the user(s) of the Phase I report answer and return this page with the signed letter of engagement. Please fax completed form back to Diana at (281) 200-0060. To submit this form via email, please send to: Diana@PhaseEngineering.com. If you have any questions, please call (832) 485-2225.

Property Address or Description: Reserve at Sulfur Springs

Print Name: Justin Gregory Company: MVAT Development Date: 02/05/2020

Signature: __________________________ Relation to property: Developer/Owner
(purchaser, lender, lessee, etc.)

© Phase Engineering, Inc. 5524 Cornish Street, Houston, TX 77007 (713) 476-9844
RECORD OF COMMUNICATION

Job #: 202002012

Job Address: Approximately 5.7 acres along League Street South, Sulphur Springs, Texas 75482

Contact: Ziggy Jewell (Owner’s representative – 903 870 8206–cell)

Comments:

Phase Engineering, Inc. interviewed Ms. Ziggy Jewell via telephone on February 17, 2020. Ms. Jewell informed Phase Engineering, Inc. of the following:

- The subject property is currently an undeveloped land with dilapidated metal barns and former horse arena area. The past usage of the property was a pastureland.
- The wooden fenced area at the property was being used as horse arena.
- Not aware of any known environmental conditions in connection with the subject property.
- Not aware of any current or past ASTs or USTs located at the property.
- Environmental assessment documentation or reports are not known to exist in connection with the subject property.
- All other information has been emailed via ASTM questionnaire to Phase Engineering, Inc.
- Associated with the property for approximately 11 years.

Date: 2-17-2020

Inspected By: Zahir Jamal

Phase Engineering, Inc.
5524 Cornish Street, Houston, Texas 77007
jamal@phaseengineering.com
832-485-2224
Sulphur Springs, Texas

From: David James <djames@sulphurspringstx.org>
Sent: Tuesday, February 11, 2020 9:41 AM
To: Gale Roberts <groberts@sulphurspringstx.org>
Subject: Re: FW: Open Records Request: ALL (202002012) ES

I do not have any records for this property. If there is anything else you need please let me know. Thanks,

On Tue, Feb 11, 2020 at 9:05 AM Gale Roberts <groberts@sulphurspringstx.org> wrote:

Good morning!

Did you receive this last week?

Thank you,

Gale Roberts, TRMC
City Secretary

www.sulphurspringstx.org

ATTENTION PUBLIC OFFICIALS!
A “Reply to All” of this e-mail could lead to violations of the Texas Open Meetings Act. Please reply only to the sender. Thank you.

---

From: Research Account <Research@phaseengineering.com>
Sent: Wednesday, February 5, 2020 11:16 AM
To: groberts@sulphurspringstx.org
Subject: Open Records Request: ALL (202002012) ES

Good Morning,

Please see attached. One request included. Boundary Map included for subject property identification. Please include subject when responding.
Thank you

Emily Schelnick
Project Coordinator Specialist
Phase Engineering, Inc.
832-485-2245

--

David James
Fire Chief / Fire Marshal
Sulphur Springs Fire Department

Office:  (903)439.3762
Station:  (903)439.3760
Cell:    (903)335.0300

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This email has been scanned for spam and viruses by Proofpoint Essentials. Click here to report this email as spam.
Gale,

I do not have any records or violations for Helm Ln. or for the property that Phase Engineering Inc. requested.

Thanks,
Jason
<table>
<thead>
<tr>
<th>DESIGNATION</th>
<th>OFFICIAL ZONING DISTRICT NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>PU</td>
<td>Public Use</td>
</tr>
<tr>
<td>AG</td>
<td>Agriculture</td>
</tr>
<tr>
<td>SF-10</td>
<td>Single Family Dwelling District 10,000 sq. ft.</td>
</tr>
<tr>
<td>SF-6</td>
<td>Single Family Dwelling District 6,000 sq. ft.</td>
</tr>
<tr>
<td>SFA</td>
<td>Single Family Attached &amp; Zero Lot Line District</td>
</tr>
<tr>
<td>2-F</td>
<td>Two Family Dwelling District</td>
</tr>
<tr>
<td>MF</td>
<td>Multiple Family Dwelling District</td>
</tr>
<tr>
<td>PO</td>
<td>Professional Office District</td>
</tr>
<tr>
<td>CC</td>
<td>Central Commercial District</td>
</tr>
<tr>
<td>LC</td>
<td>Light Commercial District</td>
</tr>
<tr>
<td>HC</td>
<td>Heavy Commercial District</td>
</tr>
<tr>
<td>LI</td>
<td>Light Industrial District</td>
</tr>
<tr>
<td>HI</td>
<td>Heavy Industrial District</td>
</tr>
<tr>
<td>SP</td>
<td>Special Purpose District</td>
</tr>
</tbody>
</table>
Texas Historical Commission

NPS National Register of Historic Places

Properties in Texas located on the National Register of Historic Places maintained by the National Park Service.

- THC Historic Places - Point
- THC Historic Places - Properties

National Park Service Cultural Resources

- Structure
- Site
- Building
- Object
- District

Texas Historical Commission

Cemeteries, County Courthouses, Museums, Historic Sites, and Historic Highway Routes

Data showing locations of official Texas Historical Markers, historic highways as determined by surveys, and cemeteries that have received the Historic Texas Cemetery designation or have been located during surveys by the THC staff.

- Museums
- County Courthouse
- Historic Highways Routes
- State Historic Sites
- Cemeteries

Sources: Texas Historical Commission, ESRI

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Texas Historical Commission
Archaeological Projects

Areas surveys to locate archaeological sites. Includes project areas, transmission lines and pipelines. Includes projects mapped since 2001.

- Archeological Projects - Linear
- Archeological Projects - Polygon

Texas Historical Commission
Neighborhood Surveys

Point data showing locations of resources located by any of several resources surveys. Most of the locations for older surveys were determined by address geocoding. The locations for some of the more recent surveys were determined by GPS.

- Neighborhood Survey

PEI Project No: 20200212
U.S. FWS Threatened & Endangered Species Active Critical Habitats

Critical habitat is a term defined and used in the Act. It is a specific geographic area(s) that is essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. An area is designated as "critical habitat" if it is determined that the area is essential for the conservation of the species.

An area designated as critical habitat is not a refuge or sanctuary for the species. Listed species and their habitat are protected by the Act whether or not they are in an area designated as critical habitat.

Source: USF&W ECOS Environmental Conservation Online System, ESRI
# 2018 Annual Drinking Water Quality Report
(Consumer Confidence Report)

**CITY OF SULPHUR SPRINGS**
TX1120002
(903) 885-7541

---

<table>
<thead>
<tr>
<th><strong>SPECIAL NOTICE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Required language for ALL community public water supplies:</td>
</tr>
<tr>
<td>You may be more vulnerable than the general population to certain microbial contaminants, such as Cryptosporidium, in drinking water. Infants, some elderly or immuno-compromised persons such as those undergoing chemotherapy for cancer; those who have undergone organ transplants; those who are undergoing treatment with steroids; and people with HIV/AIDS or other immune system disorders can be particularly at risk from infections. You should seek advice about drinking water from your physician or health care provider. Additional guidelines on appropriate means to lessen the risk of infection by Cryptosporidium are available from the Safe Drinking Water Hotline at (800) 426-4791.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>OUR DRINKING WATER IS REGULATED</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>This report is a summary of the quality of the water we provide our customers. The analysis was made by using the data from the most recent U.S Environmental Protection Agency (EPA) required tests, and is presented in the attached pages. We hope this information helps you become more knowledgeable about what's in your drinking water.</td>
</tr>
</tbody>
</table>

| **WATER SOURCES:** The sources of drinking water (both tap and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water before treatment include: |
| * Microbial contaminants such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife. |
| * Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban storm water run-off, industrial or domestic wastewater discharges, oil and gas production, mining, or farming. |
| * Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban storm water runoff, and residential uses. |
| * Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems. |
| * Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities. |

---

<table>
<thead>
<tr>
<th><strong>Public Participation Opportunities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date:</strong> The Sulphur Springs City Council meets the first Tuesday of each month.</td>
</tr>
<tr>
<td><strong>Time:</strong> 7:00 P.M.</td>
</tr>
<tr>
<td><strong>Location:</strong> The council room at the Sulphur Springs Municipal Building</td>
</tr>
<tr>
<td>To learn about future public meetings (concerning your drinking water), or to request to schedule one, please call us.</td>
</tr>
</tbody>
</table>

En Español

Este informe incluye información importante sobre el agua potable. Si tiene preguntas o comentarios sobre este informe en español, favor de llamar al tel. (903) 885-7541 -para habla con una persona bilingüe en español.
Where do we get our drinking water?

Our drinking water is obtained from SURFACE water sources. It comes from Cooper Lake (our main supply) and Lake Sulphur Springs (our backup supply).

Information About Source Water Assessments

A Source Water Susceptibility Assessment for our drinking water source(s) is currently being updated by the Texas Commission on Environmental Quality. The information contained in the assessment allows us to focus source water protection strategies.

For more information about your sources of water, please refer to the Source Water Assessment Viewer at the following URL:


This information describes the susceptibility and types of constituents that may come in contact with our drinking water source based on human activities and natural conditions. The information contained in the assessment allows us to focus our source water protection strategies. Some of this source water assessment information is available on Texas Drinking Water Watch at http://dww.tceq.texas.gov/DWW/ . For more information on source water assessments and protection efforts at our system, please contact us.

ALL drinking water may contain contaminants.

When drinking water meets federal standards there may not be any health based benefits to purchasing bottled water or point of use devices. Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA’s Safe Drinking Water Hotline (1-800-426-4791).

Secondary Constituents

Many constituents (such as calcium, sodium, or iron) which are often found in drinking water, can cause taste, color, and odor problems. The taste and odor constituents are called secondary constituents and are regulated by the State of Texas, not the EPA. These constituents are not causes for health concern. Therefore, secondaries are not required to be reported in this document but they may greatly affect the appearance and taste of your water.

DEFINITIONS

Maximum Contaminant Level (MCL)
The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to MCLGs as feasible using the best available treatment technology.

Maximum Contaminant Level Goal (MCLG)
The level of a contaminant in drinking water below which there is no known or expected health risk. MCLGs allow for a margin of safety.

Maximum Residual Disinfectant Level (MRDL)
The highest level of disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum Residual Disinfectant Level Goal (MRDLG)
The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contamination.

Treatment Technique (TT)
A required process intended to reduce the level of a contaminant in drinking water.

Action Level (AL)
The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

Action Level Goal (ALG)
The level of a contaminant in drinking water below which there is no known or expected risk to health. ALGs allow for a margin of safety.

ABBREVIATIONS

NTU - Nephelometric Turbidity Units
MFL - million fibers per liter (a measure of asbestos)
pCi/L - picocuries per liter (a measure of radioactivity)
ppm - parts per million, or milligrams per liter (mg/l) - or one ounce in 7,350 gallons of water.
ppb - parts per billion, or micrograms per liter (ug/l) - or one ounce in 7,350,000 gallons of water.
ppt - parts per trillion, or nanograms per liter
ppq - parts per quadrillion, or picograms per liter
Avg - Regulatory compliance with some MCLs are based on running annual average of monthly samples.

na - not applicable.
<table>
<thead>
<tr>
<th>Year or Range</th>
<th>Min. Level</th>
<th>Max. Level</th>
<th>MCL</th>
<th>MCLG</th>
<th>Unit of Measure</th>
<th>Violation</th>
<th>Likely Source of contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018 Fluoride</td>
<td>0.480</td>
<td>0.609</td>
<td>4</td>
<td>4</td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories.</td>
</tr>
<tr>
<td>2018 Nitrate</td>
<td>0.252</td>
<td>0.252</td>
<td>10</td>
<td>10</td>
<td>mg/l</td>
<td>N</td>
<td>Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Cyanide</td>
<td>39.7</td>
<td>39.7</td>
<td>200</td>
<td>200</td>
<td>ppb</td>
<td>N</td>
<td>Discharge from plastic and fertilizer factories; Erosion of natural deposits.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Nitrates Advisory- Nitrates in drinking water at levels above 10 mg/l is a health risk for infants of less than 6 months of age. High nitrates levels in drinking water can cause blue baby syndrome. Nitrates levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant you should ask advice from your health care provider.

<table>
<thead>
<tr>
<th>Year or Range</th>
<th>Min. Level</th>
<th>Max. Level</th>
<th>MCL</th>
<th>MCLG</th>
<th>Unit of Measure</th>
<th>Violation</th>
<th>Likely Source of contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018 Aluminum</td>
<td>0.13</td>
<td>0.13</td>
<td>0.2</td>
<td>0.2</td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Arsenic</td>
<td>0.001</td>
<td>0.001</td>
<td>0.01</td>
<td>0.01</td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits; Runoff from orchards; Runoff from glass and electronics production wastes.</td>
</tr>
<tr>
<td>2018 Atrazine</td>
<td>0.000</td>
<td>0.000</td>
<td>3</td>
<td>3</td>
<td>ppb</td>
<td></td>
<td>Runoff from herbicides used on row crops</td>
</tr>
<tr>
<td>2018 Barium</td>
<td>0.043</td>
<td>0.043</td>
<td>2</td>
<td>2</td>
<td>mg/l</td>
<td>N</td>
<td>Discharge of drilling wastes. Discharge from metal refineries. Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Calcium</td>
<td>19.9</td>
<td>19.9</td>
<td></td>
<td></td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Magnesium</td>
<td>2.40</td>
<td>2.40</td>
<td></td>
<td></td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Potassium</td>
<td>3.23</td>
<td>3.23</td>
<td></td>
<td></td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Sodium</td>
<td>10.8</td>
<td>20.2</td>
<td></td>
<td></td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Chloride</td>
<td>7.11</td>
<td>8.74</td>
<td></td>
<td></td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Manganese</td>
<td>0.00058</td>
<td>0.00193</td>
<td>0.05</td>
<td>0.05</td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Nickel</td>
<td>0.000</td>
<td>0.000</td>
<td>0.1</td>
<td>0.1</td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Copper (Free)</td>
<td>0.017</td>
<td>0.0065</td>
<td></td>
<td></td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Metochlor</td>
<td>0.01</td>
<td>0.01</td>
<td></td>
<td></td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
<tr>
<td>2018 Sulfate</td>
<td>43.5</td>
<td>55.9</td>
<td>300</td>
<td></td>
<td>mg/l</td>
<td>N</td>
<td>Erosion of natural deposits.</td>
</tr>
</tbody>
</table>
### Maximum Residual Disinfectant Level

<table>
<thead>
<tr>
<th>Year or Range</th>
<th>Min. Level</th>
<th>Max. Level</th>
<th>MRDL</th>
<th>MRDLG</th>
<th>Unit of Measure</th>
<th>Violation</th>
<th>Source of chemical</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>Chloramine</td>
<td>1.0</td>
<td>3.97</td>
<td>4.0</td>
<td>&lt;4.0 mg/l</td>
<td>N</td>
<td>Disinfectant used to control microbes.</td>
</tr>
</tbody>
</table>

### Disinfection Byproducts

<table>
<thead>
<tr>
<th>Year or Range</th>
<th>Contaminant</th>
<th>Min. Level</th>
<th>Max. Level</th>
<th>MCL</th>
<th>Unit of Measure</th>
<th>Violation</th>
<th>Likely Source of contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>Chlorite</td>
<td>0.1</td>
<td>0.57</td>
<td>0.8</td>
<td>ppm</td>
<td>N</td>
<td>Byproduct of drinking water disinfection.</td>
</tr>
<tr>
<td>2018</td>
<td>Total Haloacetic Acids</td>
<td>14.0</td>
<td>27.2</td>
<td>60</td>
<td>ppb</td>
<td>N</td>
<td>By-product of drinking water chlorination.</td>
</tr>
<tr>
<td>2018</td>
<td>Total Trihalomethanes</td>
<td>13.5</td>
<td>34.0</td>
<td>80</td>
<td>ppb</td>
<td>N</td>
<td>Byproduct of drinking water chlorination.</td>
</tr>
</tbody>
</table>

### Regulated Contaminants Detected

<table>
<thead>
<tr>
<th>Lead and Copper</th>
<th>90th Percentile</th>
<th>Sites over A L</th>
<th>Action Level</th>
<th>Action Level Goal</th>
<th>Units of Measure</th>
<th>Violation</th>
<th>Likely source of contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead</td>
<td>0</td>
<td>0</td>
<td>0.015</td>
<td>0</td>
<td>mg/l</td>
<td>N</td>
<td>Corrosion of household plumbing systems; erosion of natural deposits.</td>
</tr>
<tr>
<td>Copper</td>
<td>0.21</td>
<td>0</td>
<td>1.3</td>
<td>1.3</td>
<td>mg/l</td>
<td>N</td>
<td>Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives.</td>
</tr>
</tbody>
</table>

### Required Additional Health Information for Lead

"If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. This water supply is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at http://www.epa.gov/safewater/lead."

### Turbidity

Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches. Turbidity is the measurement of the cloudiness of the water caused by suspended particles. We monitor it because it is a good indicator of water quality and of the effectiveness of our filtration.

<table>
<thead>
<tr>
<th>Year</th>
<th>Limit (Treatment Technique)</th>
<th>Level Detected</th>
<th>Violation</th>
<th>Likely source of contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>1 NTU</td>
<td>0.27</td>
<td>N</td>
<td>Soil runoff</td>
</tr>
<tr>
<td></td>
<td>0.3 NTU</td>
<td>100%</td>
<td>N</td>
<td>Soil runoff</td>
</tr>
</tbody>
</table>

### Coliform Bacteria

<table>
<thead>
<tr>
<th>Year</th>
<th>Contaminant</th>
<th>Highest # of Positive Monthly Samples</th>
<th>MCL</th>
<th>Unit of Measure</th>
<th>Likely Source of contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>Total Coliform Bacteria</td>
<td>0</td>
<td>*</td>
<td>Presence</td>
<td>Naturally present in the environment.</td>
</tr>
</tbody>
</table>

* Two or more samples in any single month.

**Facial Coliform - NOT DETECTED**
<table>
<thead>
<tr>
<th>Year or Range</th>
<th>VOC</th>
<th>Min. Level</th>
<th>Max. Level</th>
<th>MCL</th>
<th>MCLG</th>
<th>Unit of Measure</th>
<th>Violation</th>
<th>Likely Source of contamination</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>Acetone</td>
<td>5.9</td>
<td>5.9</td>
<td>mg/l</td>
<td>mg/l</td>
<td>Naturally occurring in plants, trees, forest fires, vehicle exhaust and as a breakdown of animal fat metabolism.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018</td>
<td>Butanone</td>
<td>4.32</td>
<td>4.32</td>
<td>ug/l</td>
<td>ug/l</td>
<td>Occurs as a natural product made by trees, and found in some fruits and vegetables in small amounts.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018</td>
<td>Chloroform</td>
<td>8.17</td>
<td>22.6</td>
<td>ug/l</td>
<td>ug/l</td>
<td>A disinfection byproduct</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018</td>
<td>Bromodichloromethane</td>
<td>4.04</td>
<td>9.13</td>
<td>ug/l</td>
<td>ug/l</td>
<td>A disinfection byproduct</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018</td>
<td>Dibromochloromethane</td>
<td>1.28</td>
<td>2.35</td>
<td>ug/l</td>
<td>ug/l</td>
<td>A disinfection byproduct</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TWDB Water Loss Audit**

In the water loss audit submitted to the Texas Water Development Board for the time period of Jan 1 - Dec 31, 2017, our system lost an estimated 117,520,200 gallons of water. If you have any questions about the water loss audit, please call 903-439-2891.

**Texas Drinking Water Watch**

Use this searchable database of analytical results and compliance data to learn more about the quality of your drinking water and your public water system's compliance with state and federal regulations.


TX1120002
WATER CONSERVATION TIPS

1. Water lawns only in the morning during hotter summer months.

2. Use a sprinkler that produces large drops of water, rather than a fine mist, to avoid evaporation.

3. Turn soaker hoses so the holes are on the bottom to avoid evaporation.

4. Water slowly for better absorption, and never water on windy days.

5. Condition the soil with compost before planting grass or flower beds so that water will soak in rather than run off.

6. Fertilize lawns at least twice a year for root stimulation. Grass with a good root system makes better use of less water.

7. Learn to know when grass needs watering. If it has turned a dull gray-green or if footprints remain visible, it is time to water.

8. Do not water too frequently. Too much water can overload the soil so that air cannot get to the roots and can encourage root disease.

9. Do not over-water. Soil can absorb only so much moisture and the rest simply runs off.

10. Operate automatic sprinkler systems only when the demand on the town's water supply is at its lowest. Set the system to operate between two and six a.m.

11. Do not scalp lawns when mowing during hot weather. Taller grass holds moisture better.

12. Use a watering can or hand water with the hose in small areas of the lawn that need more frequent watering.

13. Learn what types of grass, shrubbery, and plants do best in the area and in which parts of the lawn, and then plant accordingly.

14. Consider decorating areas of the lawn with rocks, gravel, wood chips, or other materials now available that require no water at all.

15. Do not "sweep" walks and driveways with the hose. Use a broom or rake instead.

16. Use a bucket of soapy water and the hose only for rinsing when washing the car.
The purpose of this map is to assist National, State and local organizations to target their resources and to implement radon-resistant building codes. This map is not intended to determine if a home in a given zone should be tested for radon. Homes with elevated levels of radon have been found in all three zones.

Sections 307 and 309 of the Indoor Radon Abatement Act of 1988 (IRAA) directed the EPA to list and identify areas of the U.S. with the potential for elevated indoor radon levels. EPA’s Map of Radon Zones assigns each of the 3,141 counties in the U.S. to one of three zones based on radon potential using the five factors to determine radon potential: 1) indoor radon measurements; 2) geology; 3) aerial radioactivity; 4) soil permeability; and 5) foundation type. For more information, refer to Preliminary Geologic Radon Potential Assessment of Texas from USGS Geologic Radon Potential of EPA Region 6, Open-File Report 93-292-F.
Table 4. Residential Radon Measurements by County (continued)

<table>
<thead>
<tr>
<th>County</th>
<th>Mean</th>
<th>Number</th>
<th>&gt;4 pCi/l</th>
<th>&gt;200 pCi/l</th>
<th>Minimum Value</th>
<th>Maximum Value</th>
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<tbody>
<tr>
<td>GRAYSON</td>
<td>1.2</td>
<td>14</td>
<td>7.1</td>
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<td>&lt;.5</td>
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<tr>
<td>GREGG</td>
<td>1.0</td>
<td>22</td>
<td></td>
<td>.0</td>
<td>&lt;.5</td>
<td>7.1</td>
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<tr>
<td>GRIMES</td>
<td>.5</td>
<td>3</td>
<td>4.5</td>
<td>.0</td>
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<td>GUADALUPE</td>
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</tr>
</tbody>
</table>
US F&WS National Wetlands Inventory and Riparian Habitats

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information to the public on the extent and status of the Nation’s wetlands. These data delineate the areal extent of wetlands and surface waters as defined by Cowardin et al. (1979). Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation, some deepwater reef communities (coral or tuberflid worm reefs), and certain types of “farmed wetlands”. Riparian areas are lands that occur along watercourses and water bodies. Typical examples include flood plains and streambanks. They are distinctly different from surrounding lands because of unique soil and vegetation characteristics that are strongly influenced by the presence of water.

**Wetland and Deepwater Habitats**
- Freshwater Forested/Shrub Wetland
- Freshwater Emergent Wetland
- Freshwater Pond
- Estuarine and Marine Wetland
- Riverine
- Lake
- Estuarine and Marine Deepwater

**Riparian Habitats**
- Forested/Shrub Riparian
- Herbaceous Riparian
- Other
- Other Freshwater Wetland

Source: USF&S, USGS NHL

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**PEI Project No:** 20200212
WETLANDS AND DEEPWATER HABITATS CLASSIFICATION

System
M - Marine

Subsystem
1 - Subtidal
2 - Intertidal

Class
RB – Rock Bottom
UB – Unconsolidated Bottom
AB – Aquatic Bed
RF – Reef

Subclass
1 Bedrock
2 Rubble
1 Algal
2 Sand
3 Mud
1 Coral
3 Rooted Vascular
3 Worn
1 Coral
3 Rooted Vascular
1 Bedrock
2 Rubble

System
E - Estuarine

Subsystem
1 - Subtidal
2 - Intertidal

Class
RB – Rock Bottom
UB – Unconsolidated Bottom
AB – Aquatic Bed
RF – Reef
SB – Streambed
RS – Rocky Shore
US – Unconsolidated Shore
EM – Emergent
SS – Scrub-Shrub
FO – Forested

Subclass
1 Bedrock
2 Rubble
1 Cobble-Gravel
2 Sand
3 Mud
4 Organic
1 Algal
2 Sand
3 Mud
4 Organic
1 Coral
3 Rooted Vascular
3 Worn
1 Coral
3 Rooted Vascular
1 Bedrock
2 Rubble
1 Mollusk
2 Coral
3 Rooted Vascular
2 Sand
4 Organic
1 Bedrock
2 Rubble
1 Coral
3 Rooted Vascular
1 Bedrock
2 Rubble

System
R - Riverine

Subsystem
1 - Tidal
2 – Lower Perennial
3 – Upper Perennial
4* - Intermittent
5* – Unknown Perennial

Class
RB** – Rock Bottom
UB – Unconsolidated Bottom
SB** – Streambed
AB – Aquatic Bed
RS – Rocky Shore
US – Unconsolidated Shore
EM – Emergent

Subclass
1 Bedrock
2 Rubble
1 Cobble-Gravel
2 Sand
3 Mud
4 Organic
1 Algal
2 Rooted Vascular
3 Worn
1 Algal
2 Rooted Vascular
2 Rubble
1 Sand
4 Organic
1 Bedrock
2 Rubble
1 Coral
3 Rooted Vascular
1 Bedrock
2 Rubble
1 Coral
3 Rooted Vascular
1 Bedrock
2 Rubble
1 Bedrock
2 Rubble
1 Cobble-Gravel
2 Sand
3 Mud
4 Organic

* Intermittent is limited to the Streambed Class;
Unknown Perennial is limited to Unconsolidated Bottom Class code RSUB only
** Rock Bottom is not permitted for the Lower Perennial Subsystem;
Streambed is limited to Tidal and Intermittent Subsystems

Classification of Wetlands and Deepwater Habitats of the United States, Cowardin et al. 1979

February, 2011
In order to more adequately describe the wetland and deepwater habitats, one or more of the water regime, water chemistry, soil, or special modifiers may be applied at the class or lower level in the hierarchy. The farmed modifier may also be applied to the ecological system.
Noise Sources Map

- **Subject Property**
- **1000 foot radius**
- **3000 foot radius**

Note: Property location and boundary are representative only.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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PEI Project No: 202002012

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**Noise Sources Map**

- Subject Property
- 1000 foot radius
- 3000 foot radius
The National Plan of Integrated Airport Systems (NPIAS) identifies existing and proposed airports in Texas that are significant to the national air transportation. The NPIAS contains all commercial service airports, all reliever airports, and selected general aviation airports.

**Airport Noise Map**

- **Subject Property**
- **15 Mile Radius**

**Airports per NPIAS Report (updated 2017)**

- **Major Airport** - This category includes all civil airports with a minimum of 9,000 emplanements annually.
- **Minor Airport** - Includes all nonprimary public airports which are not considered as a major noise source.

**Aviation Noise (dB)**

- 35 - 40
- 40.01 - 45
- 45.01 - 50
- 50.01 - 55
- 55.01 - 60
- 60.01 - 65
- 65.01 - 70
- 70.01 - 75
- 75.01 - 80
- 80.01 - 85
- 85.01 - 90
- 90.01 - 95
No noise sources were identified within the search area.
No explosive hazards were identified within 1/4 mile of the subject property.

Explosive Hazards

Acceptable Separate Distance (ASD) from Explosive Hazards
Section 6. User Responsibilities

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 all users must provide the following information (if available) to Phase Engineering, Inc. Failure to provide this information could result in a determination that “all appropriate inquiries” is not complete.

1) Environmental liens that are filed or recorded against the property (40 CFR 312.25).
   Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state or local law? □ Yes □ No

2) Activity and use limitations that are in place on the property or that have been filed or recorded against the property (40 CFR 312.26(a)(1)(v) and vii).
   Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the property and/or have been filed or recorded against the property under federal, tribal, state or local law? □ Yes □ No

3) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).
   As the user of this ESA do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business? □ Yes □ No

4) Relationship to the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).
   Does the purchase price being paid for this property reasonably reflect the fair market value of the property? □ Yes □ No
   If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property? □ Yes □ No

5) Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).
   Are you aware of commonly known or reasonably ascertainable information about the property that would help Phase Engineering, Inc. to identify conditions indicative of releases or threatened releases? For example, as user,
   a. Do you know the past uses of the property? □ Yes □ No
   b. Do you know of specific chemicals that are present or once were present at the property? □ Yes □ No
   c. Do you know of spills or other chemical releases that have taken place at the property? □ Yes □ No
   d. Do you know of any environmental cleanups that have taken place at the property? □ Yes □ No

6) The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).
   As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property? □ Yes □ No

Comments from Questions 1-6:_____________________________________________________________________________________________
_____________________________________________________________________________________________
_____________________________________________________________________________________________
_____________________________________________________________________________________________
_____________________________________________________________________________________________
_____________________________________________________________________________________________
_____________________________________________________________________________________________

Please have the user (s) of the Phase I report answer and return this page with the signed letter of engagement.

Property Address or Description:_____________________________________________________________________________________________

Print Name: ________________________________ Company: _______________________ Date: ____________

Signature: _________________________________ Relation to property: ________________________
(purchaser, lender, owner, lessee, etc.)
Date: 2/5/20

To: City of Sulphur Springs, City Secretary Office
Phone: 903-885-7541
Email: groberts@sulphurspringstx.org

From: Phase Engineering, Inc.
5524 Cornish Street
Houston, TX 77007
Requestor: Emily Schelnick
RE: Open Records Request
For: Phase Engineering Job: 202002012

Phase Engineering, Inc. is currently working on a Phase I Environmental Assessment of the property, located at:

1. **Address:** Approximately 5.6 acres along League Street South, Sulphur Springs, TX 75482
2. **Property ID:** R000027614, R000027617
3. **Geo ID:** 40.0024.004.001.00, 40.0024.004.004.00
4. **Legal Description:** Lot 1 and 4, Block 24 and 4, Final Plat Jewell and Morris Addition (formerly Lot 17)

**Fire:**
We are requesting any information you may have concerning the storage, use, handling or dispensing of flammable liquid storage tanks, hazardous materials, or liquefied petroleum gas storage or incidents of environmental concern, at the above location or adjacent properties.

**Environmental / Health:**
We would like to request any and all environmentally-related information, including, but not limited to notices of violation, complaints, fuel tank storage facilities, sample wells, grease traps, etc., based upon the Freedom of Information Act for this property.

**Building / Public Works:**
Please provide copies of all permits submitted/approved, certificates of occupancy and building permits for the above property.

**Please notify us of any charges before proceeding.**

Reply as soon as possible to: research@PhaseEngineering.com or call 832-485-2245

Thank you very much for your assistance.
APPENDIX VI

LETTER OF ENGAGEMENT
Phase Engineering, Inc.

Environmental Consultants

MVAH Partners
Justin Gregory
9100 Centre Pointe Drive, Suite 210
West Chester, OH 45069
Phone: (513) 964-1152  Fax: Email: justin.gregory@mvahpartners.com

Current Use: Land - Undeveloped
Address/ Property Location: Along League Street South
City: Sulphur Springs  County: Hopkins  State: TX  Zip: 75482

Perform a Phase I Environmental Site Assessment (ESA) to comply with the ASTM E 1527-13 Standard and §10.305 Subchapter D of the TDHCA 2020 Uniform Multifamily Application, including ASTM Non Scope Considerations: Vapor Encroachment Screening, a Noise Assessment, an opinion for testing of asbestos, lead based paint, and lead in drinking water. The report will be applicable to the attached Agreement for Environmental Professional Services.

- Includes: Electronic version in PDF with findings, opinions, conclusions and recommendations. Originals @ $125.00 each.
- Delivery: Final ESA report approximately 15 business days from signed letter of engagement. Delivery charges may apply, not to exceed $30.00 per delivery, unless client arranges for pick-up at their own expense.
- Terms: Net due prior to receipt of final report.
- $125/hour for additional hours of consulting beyond the scope of work, if required.

If the above terms and attached Agreement for Professional Environmental Consulting Services (General Terms & Conditions) are acceptable, please sign and fax (eFax 281-200-0980) or email (proposals@phaseengineering.com) a copy of this letter to serve as a letter of engagement and notification to proceed. The following information is needed to complete by scheduled delivery date:

1. Current owner of the property and telephone number.
2. Contact name and telephone number.
3. Access to the property, which may include keys or combinations, if applicable.
4. All complete environmental reports.
5. Survey, site plan and legal description. Survey does not have to be new if it reflects the property correctly.
6. Detailed project description and proposed site plan.
7. All entities for which the report will be addressed and invoicing information. If this information is not given to Phase Engineering, Inc. in a legible format, the above named will be identified as user of the report and will be invoiced directly.

Thank you for the opportunity to work with you and your environmental needs. If you have any questions, please call me at (832) 485-2227.

Tracy Watson

Accepted By: [Signature]
Print Name: [Signature]

Date: 03/04/20
AGREEMENT FOR PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES

Section 1 – General Terms and Conditions

1.1 Definitions

“Agreement” means this Agreement for Professional Environmental Consulting Services.
“Party” (or collectively, “Parties”) means PEI and Client, unless expressly stated otherwise in this Agreement.
“PEI” means Phase Engineering, Inc.
“Engagement Letter” the instrument delivered by PEI to the Parties
“Services” has the meaning set forth in Section 1.2 below.

Any capitalized terms not otherwise defined in this Agreement have the meanings given to them under the Engagement Letter.

1.2 Services

The professional environmental consulting services to be provided by PEI for the Client are set forth in the Engagement Letter, and such services, including subsequent services, changed, altered or additional services are hereinafter called the “Services”.

1.3 Standard of Care

PEI shall perform the services under this agreement with that degree of care, skill and diligence generally accepted as typical of the industry in the performance of such services as contemplated by the Agreement at the time and location such services are rendered. PEI shall employ only competent staff and sub-contractors who will be under the supervision of a senior member of PEI’s staff.

1.4 Rights of Entry, Site Information and Utilities

The Client shall provide right of entry for PEI and its subcontractors to carry out the Services, unless specified otherwise in the Engagement Letter. The Client warrants that it has furnished to PEI all information known to, or in possession or control of, the Client relating to the past and existing conditions of the site, including but not limited to soil and geologic data, contaminants, wastes, petroleum products, controlled substances, hazardous materials, and subsurface utilities. The Client shall extend use and reliance of this information to PEI, unless stated otherwise and to the extent permitted by law. Such information shall be and remain confidential as between the Client and PEI and PEI shall not disclose same to any third party unless required by law.

1.5 Safety

1.5.1 PEI maintains a General Health and Safety Plan, a copy of which will be provided to the Client on written request and will fall under Section 1.8 Subsequent Changes of this Agreement unless this service is included in the Engagement Letter.

1.5.2 PEI shall take all precaution reasonable in the circumstances for the protection of the workers providing any of the Services. When required and prior to any field work being carried out, PEI shall provide the Client with a comprehensive site-specific safety plan for providing the Services. Such request must be made in writing by the Client prior to commencement of the Services by PEI and will fall under Section 1.9 Subsequent Changes of this Agreement unless included in the Engagement Letter.

1.6 Investigations and Reports

1.6.1 Findings: The findings of any investigation undertaken as part of the Services will be based upon information generated as a result of the specific scope of the Services as described in the Engagement Letter.

1.6.2 Restoration: The Client accepts that in the normal course of the Services some damage to existing ground or other surface finishes may occur, the restoration of which shall be the responsibility of the client or as specified in the Engagement Letter.

1.6.3 Investigations: The parties acknowledge and accept that unique risks exist whenever engineering or related disciplines are applied to identify environmental conditions and even a comprehensive sampling and testing program may fail to detect certain conditions. Because of the inherent uncertainties in environmental evaluations, changed or unanticipated conditions may occur or become known subsequent to PEI’s investigation that could affect conclusions, recommendations, total Project cost and/or execution. Changes in conditions are subject to amendments to the Scope of Services.

1.6.4 Confidentiality and Reliance: Any Final Report or draft reports and the information contained therein shall be treated as confidential and, unless otherwise agreed to by PEI and the Client, the information, sampling data, analysis, findings, conclusions and recommendations (if any), may be used and relied upon only by the Client, its officers, directors and employees and professional advisors in the performance of their obligations for or on behalf of the Client. Any such use and reliance shall be subject to the limitations set forth in this agreement. In addition, the Client may submit any report to a regulatory authority or lender for the purpose of obtaining financing on a property.

1.6.5 Third Party Reliance: This Agreement and the Services provided are for Consultant and Client’s sole benefit and exclusive use with no third party beneficiaries intended. Reliance upon the Services and any work product is limited to Client, and is not intended for third parties. In the event PEI agrees, in its sole and absolute discretion, to make the Report available to a third party not mentioned in Paragraph 1.6.4, the Third Party shall be required to obtain the original Clients release, sign PEI’s standard Authorized User Agreement (AUA) and pay PEI a fee of not less than $350.00. Any such use shall be subject to the terms, conditions and limitations set forth in this Agreement, the Report and the AUA.

1.7 Ownership of Records/Reports:

All documents or records created or prepared by PEI in the performance of the Services are considered PEI’s professional work product and shall remain the copyright property of PEI, subject to any reasonable disclosure request from the Client as may be necessary and for which reasonable reimbursement for copies is provided.

1.8 Disposal and Samples

1.8.1 Disposal of all wastes generated from the subject property shall be the responsibility of the Client.

1.8.2 PEI shall be responsible for appropriate disposal of sample material and sample residuals after 30 days following submission of the Final Report unless the Client specifically requests otherwise.
1.9 Subsequent Changes
With the consent of PEI, the Client may in writing at any time after the execution of this Agreement or the commencement of the Services delete, extend, increase, vary or otherwise alter the Services. The Parties further agree that such changes shall alter the Services, schedule and/or the costs. Any such changes shall be made in writing with reference to this Agreement, and accepted in writing by both Parties.

1.10 Delays
Neither Party shall be liable or penalized for delays or failure to perform its Services if the same is caused directly or indirectly by circumstances beyond a Party’s reasonable control. The Client shall not hold PEI responsible for damages or delays in performance caused by the Client, acts of God, acts and/or omissions of governmental authorities and regulatory agencies or other events which are beyond the reasonable control of the Parties.

1.11 Payment
1.11.1 The PEI shall invoice the Client in accordance with the provisions set forth in the Engagement Letter. Except as stated in the Engagement Letter, the Client shall pay to PEI at its corporate office each invoice within 30 days of the date of the invoice without holdback. Interest at a rate of 1.5% per month or the maximum rate allowed by law, whichever is lower, may be charged on all overdue amounts.
1.11.2 In the event of a disputed billing, only the disputed portion shall be withheld from payment, and the undisputed portion will be paid. The Client shall exercise reasonableness in disputing any bill or portion thereof. No interest will accrue on any disputed portion of the billing until mutually resolved.
1.11.3 If the Client fails to make payment of any sum due hereunder within a reasonable time period, Client acknowledges and agrees that the subject Invoice will be referred to legal collections, and any amount in aggregate less than Ten Thousand Dollars U.S. ($10,000) will be referred to small claims court in Harris County, Texas.

1.12 Suspension or Termination
The Client may at any time by notice in writing to PEI, suspend or terminate the Services or any portion thereof at any stage of the Project. Upon receipt of such written notice by the Client, PEI shall perform no further Services other than those reasonably necessary to close out its Services. In such an event, PEI shall invoice the Client for the portion of the Services completed and shall be entitled to payment in accordance with Section 1.9. Once the Services are completed the Client assumes the risk of Frustration of Purpose.

1.13 Insurance
1.13.1 PEI agrees to carry and maintain the following minimum insurance coverages for the term of this Agreement:
   - Worker’s Compensation Insurance: Statutory requirement amounts
   - Commercial General Liability: $1,000,000 per occurrence
   - Automobile Liability Insurance: $1,000,000 per occurrence for both owned and non-owned vehicles
   - Professional Liability and Contractors Professional Insurance: $1,000,000 per occurrence
1.13.2 PEI’s current Certificate of Insurance is provided with the Engagement Letter. If the Client requests to be named as a certificate holder, this request must be made in writing to PEI prior to commencement of the Services.
1.13.3 PEI will renew the Professional Liability Insurance at or above the minimum coverage for period of two (2) years after completion of the Services.
1.13.4 If the Client requests that PEI increase the amount of insurance coverage or obtain other special insurance for the Project, PEI shall endeavor forthwith to obtain such increased or special insurance at the Client's expense.
1.13.5 Each of PEI and Client waive all claims, losses, damages and rights of recovery against the other to extent of the limits of coverage under any commercial general liability or property insurance policy actually obtained by a Party to this Agreement (or, in the case of PEI, to the extent obtained or required to be obtained by PEI under this Agreement). In addition, each Party shall exercise commercially reasonable efforts to cause to waive subrogation under its commercial general liability and property insurance policies and provide any necessary endorsements thereto.

1.14 Indemnity/Statute of Limitations.
EACH OF PEI AND CLIENT SHALL INDEMNIFY AND HOLD HARMLESS THE OTHER AND THEIR RESPECTIVE AGENTS, EMPLOYEES, SUCCESSORS AND ASSIGNS FROM AND AGAINST LEGAL LIABILITY FOR CLAIMS, LOSSES, DAMAGES, AND EXPENSES TO THE EXTENT SUCH CLAIMS, LOSSES, DAMAGES, OR EXPENSES ARE LEGALLY DETERMINED TO BE CAUSED BY THEIR NEGLIGENT ACTS, ERRORS, OR OMISSIONS. IN THE EVENT SUCH CLAIMS, LOSSES, DAMAGES, OR EXPENSES ARE LEGALLY DETERMINED TO BE CAUSED BY THE JOINT OR CONCURRENT NEGLIGENCE OF PEI AND CLIENT, THE PARTIES SHALL BEAR LIABILITY IN PROPORTION TO ITS OWN NEGLIGENCE UNDER COMPARATIVE FAULT PRINCIPLES. NEITHER PARTY SHALL HAVE A DUTY TO DEFEND THE OTHER PARTY, AND NO DUTY TO DEFEND IS HEREBY CREATED BY THIS INDEMNITY PROVISION AND SUCH DUTY IS EXPLICITLY WAIVED UNDER THIS AGREEMENT. CAUSES OF ACTION ARISING OUT OF PEI'S SERVICES OR THIS AGREEMENT, REGARDLESS OF CAUSE OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY OR OTHER RECOVERY, SHALL BE DEEMED TO HAVE ACCRUED AND THE APPLICABLE STATUTE OF LIMITATIONS SHALL COMMENCE TO RUN NO LATER THAN THE DATE OF PEI'S SUBSTANTIAL COMPLETION OF SERVICES ON THE PROJECT.

1.15 Limitation of Liability
1.15.1 Notwithstanding any other provisions contained herein, it is understood and agreed that PEI’s liability to the Client for all claims arising out of this Agreement, or in any way relating to the Services, will be limited to direct damages and/or to the specific performance of any Services not meeting the Standard of Care set forth herein and such liability will, in the aggregate, not exceed the sum of the coverages shown on PEI’s Certificate of Insurance in effect at the time of the claim.
1.15.2 No claim may be brought against PEI more than Two (2) years after the Services were completed under this Agreement, or as negotiated between PEI and the Client.
1.15.3. TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL AGGREGATE LIABILITY OF PEI (AND ITS DIRECTORS, EMPLOYEES, AGENTS AND AFFILIATES) TO CLIENT AND THIRD PARTIES GRANTED RELIANCE IS LIMITED TO THE GREATER OF $50,000 OR PEI’S FEE FOR ANY AND ALL INJURIES, DAMAGES, CLAIMS, LOSSES, OR EXPENSES (INCLUDING ATTORNEYAND EXPERT FEES) ARISING OUT OF PEI’S SERVICES OR THIS AGREEMENT. THIS LIMITATION SHALL APPLY REGARDLESS OF AVAILABLE PROFESSIONAL LIABILITY INSURANCE COVERAGE, CAUSE OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY, OR OTHER RECOVERY; PROVIDED, HOWEVER, THAT THIS LIMITATION SHALL NOT APPLY TO THE EXTENT OF ANY AVAILABLE COVERAGE UNDER PEI’S COMMERCIAL GENERAL LIABILITY POLICY.

1.16 Consequential Damages.
EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO THE OTHER FOR LOSS OF PROFITS OR REVENUE, LOSS OF USE OR OPPORTUNITY, LOSS OF GOOD WILL, COST OF SUBSTITUTE FACILITIES, GOODS, OR SERVICES, COST OF CAPITAL, OR FOR ANY SPECIAL, CONSEQUENTIAL, INDIRECT, PUNITIVE, OR EXEMPLARY DAMAGES.

1.17 Regulatory Reporting Requirements
Client recognizes that hazardous substances or contaminates may be discovered at the subject property in the course of provision of the Services by PEI under conditions that may be reportable to Federal or State environmental regulatory agencies. The “duty to report” is ultimately the responsibility of the landowner unless the condition represents an acute threat to human health or the environment. PEI will notify the Client of any such reportable condition. The Client will notify the Landowner, or under mutual agreement, authorize PEI to perform such notification to the landowner.

Section 2 – MISCELLANEOUS PROVISIONS

2.1 Notices:
All notices under this Agreement shall be in writing. It shall be sufficient in all respects if the Notice is delivered by hand, sent by any electronic means, including email or facsimile transmission, with confirmation (“Transmission”) during normal business hours, or sent by registered mail, postage prepaid, addressed to the Parties shown on the Engagement Letter or to such other address as either Party shall designate by written notice to the other Party. Any notice so given shall be deemed to have been given and to have been received on the day of delivery, if so delivered, on the third Business Day (excluding each day during which there exists any interruption of postal services due to strike, lockout or other cause) following the mailing thereof, if so mailed, and on the day that notice was sent by Transmission, provided such day is a Business Day (a Business Day being any day of the week save and except for Saturday and Sunday) and if not, on the first Business Day thereafter.

2.2 Entire Agreement, Modifications, Headings, Severability:
The Parties acknowledge that this Agreement and the Engagement Letter constitutes the entire agreement between them and supersedes all prior representations, warranties, agreements, and understandings, oral or written, between the Parties with respect to its subject matter. Unless stated otherwise in this Agreement, this Agreement may not be modified except in writing signed by both Parties. The headings to this Agreement are for convenience and reference purposes only and shall not constitute a part of the Agreement. If any element of this Agreement is later held to violate the law or a regulation, it shall be deemed void, and all remaining provisions shall continue in force.

2.3 Effect:
This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns provided that it may not be assigned by either Party without the consent of the other, which consent shall not be unreasonably withheld.

2.4 Survival:
All representations and obligations (including without limitation the mutual obligations of indemnification) shall survive the termination of this Agreement and expire five (5) years from the date of completion of Services.

2.5 Waiver of Rights:
Any waiver of, or consent to depart from, the requirements of any provision of this Agreement shall be effective only if made in writing and signed by the Party granting such waiver or consent, and is valid only in the specific instance and for the specific purpose for which it has been granted. No failure on the part of any Party to exercise, and no delay in exercising, any right under this Agreement shall operate as a waiver of such right. No single or partial exercise of any such right shall preclude any other or further exercise of such right or the exercise of any other right.

2.6 Applicable Law:
This Agreement shall be governed by, and interpreted and enforced in accordance with, the laws in the State of Texas and the laws of The United States of America, as applicable.

2.7 Dispute Resolution:
Excepting Section 1.11 for the purpose of this Agreement, any disagreement arising between the Parties to this Agreement with reference to the interpretation of this Agreement or any matter arising hereunder and upon which the Parties cannot agree shall be referred to mediation. Reference to mediation shall be to a single mediator and in accordance with the laws of mediation in the State of Texas. The costs of the mediator shall be shared equally by the Parties on an interim basis as may be necessary provided however that the mediator shall have the discretion to award costs of the proceeding, including costs of the mediator. The venue for such mediation is agreed to be Harris County, Texas

2.8 Contract Documents:
The Contract Documents consist of the documents listed. If there is a conflict with the Contract Documents, the conflicting terms will be governed in the order of priority set forth as follows: 1. Agreement 2. Engagement Letter
APPENDIX VII

STATEMENT OF QUALIFICATIONS
It is our goal to provide quality Environmental Site Assessments and Related Professional Services at a fair price within the clients’ required delivery date.

Since 1993 our in-house licensed and certified Environmental Professionals team continues to provide consistent quality, detailed attention to our client’s requests, and full service environmental reports which set Phase Engineering, Inc. apart. Phase Engineering, Inc. has provided over 20,000 nationwide professional quality and timely Environmental Assessments and Property Condition Assessments for the private and public commercial real estate industries.

Whether you are a lender, a broker, an attorney, a buyer/seller, a property manager, a developer, or a property owner; Phase Engineering has the right service at the right price point for you. We work diligently to meet our clients timing and unique requirements. As any qualified Environmental Consultant knows, Environmental Site Assessments are not created equal. Phase Engineering is qualified to ensure your reports are done to the highest standards and regulations to help to protect the client’s interest. Please check out our “Dare to Compare” website page for more information on how you can qualify your environmental vendors.

We pride ourselves in keeping current our licenses and certifications to give the client a more informed and educated solution. The following are among our company’s licenses and certifications:

- Professional Engineering Firm
- Professional Geoscientist Firm
- Licensed Asbestos Consultant Agency
- Licensed Mold Assessment Company
- Certified Lead Firm
- Leaking Petroleum Storage Tank (LPST) Corrective Action Specialist (CAS)
- Wetlands United States Army Corp of Engineers Delineation Course Certified
- Storm Water & Pollution Prevention Certified Preparer of SWPPP (CPSWPPP) and (CCIS)
- Radon
Professional Services

The professional licensed and technical staff at Phase Engineering, Inc. are annually involved nationwide in over 1000 environmental site assessments, Property Condition Assessments and related services. Our professional services include all aspects of the environmental due diligence for all types of commercial real estate clients. Phase Engineering is qualified to ensure your reports are done to the highest standards and regulations to help to protect the client’s interest. Phase Engineering, Inc. provides a full range of professional environmental services for the real estate transaction business world as listed below:

Environmental Site Assessments

- Phase I Environmental Site Assessments include site assessments prepared to: EPA “All Appropriate Inquiries” (AAI) rule, Phase I Environmental Site Assessments as per ASTM Standard E 1527, Small Business Administration (SBA) SOP 50 10 5, etc.
- Client specific requirements such as Fannie Mae, FDIC, Freddie Mac, HUD, DHCA, NEPA, USDA, FDIC, TDHCA, Oil & Gas, etc.
- Transaction Screens per ASTM Standard E 1528
- Wetlands Determination, Delineations, Mitigation Plans, and Permitting
- Endangered Species Reviews
- Record Search with Risk Assessment Reports
- Desktop Reviews
- Environmental Data Services
- Prior Environmental Report Reviews (Third Party Reviews)

Phase II Environmental Site Assessments / Consulting

- Phase II Environmental Site Assessments are specific to the nature of the project. A typical example is an investigation of an underground storage tank site. This requires sampling of soil and groundwater.
- Leaking Petroleum Storage Tank Corrective Action Project Management (CAPM) and Corrective Action Specialist (CAS) Services
- Voluntary Cleanup Program (VCP) (TCEQ) and (RRC) Consulting
- Innocent Owner Program (IOP) Consulting
- Resource Conservation and Recovery Act (RCRA) Corrective Action Site Project Management
- Dry Cleaning Remediation Program Consulting Services
- Vapor Assessments
- Municipal Settings Designation (MSD) Services
- Brownfields Site Assessment and Advisory Services
- Operation Cleanup Program (RRC) Consulting Services
Professional Services (continued)

- Oil & Gas Due Diligence
- Underground Injection and Control (UIC) Permits and Registrations for Remediation Applications
- Remediation Feasibility, Design, and Implementation
- Monitoring and Post-Closure Care
- Groundwater Monitoring
- Prior Environmental Report Reviews
- RCRA Corrective Action Site Project Management
- Litigation Support

Waste Management and Compliance

- Industrial and Hazardous Waste Registration, Permitting, and Reporting
- Waste Management Unit Closures

Building and Facilities Assessments

- Property Condition Assessments per ASTM E 2018
- Asbestos Inspections, Management & Consulting
- Lead Based Paint and Lead in Water Inspections, Risk Assessments & Consulting
- Mold Assessments & Consulting
- Indoor Air Quality Assessments
- Storm Water Pollution Prevention (SWPPP) Plans, Audits & Inspections
- Spill Prevention, Control and Countermeasure (SPCC) Plans
- Client Specific Compliance Services
Professional Services (continued)

National Environmental Policy Act (NEPA)

- Categorical Exclusions
- Environmental Assessments
- Housing and Urban Development (HUD) 24 CFR Part 58 Reviews (CDBG, HOME, NSP, Disaster Recovery, Public Housing Programs, etc.)
- Part 50 compliance – HUD Form 4128 Environmental Review Checklist
- USDA Rural Development Environmental Reviews per 7 CFR Part 1970 policies and procedures
- Federal Communications Commission (FCC) NEPA compliance for communication or transmission towers and facilities
- TxDOT NEPA compliance
- Section 106 Historic Preservation
- Noise Surveys and Mitigation
- Explosive Hazards Assessments
- Wetland Delineation and Mitigation
- HUD’s 8-Step Decision-Making Process for Developing in a Floodplain or Wetland (24 CFR Part 55)
- Environmental Justice Assessments
Licenses & Certifications

Phase Engineering, Inc. and the staff at Phase Engineering, Inc. are licensed and certified in all related areas to give the client a more informed and educated solution.

Registered Professional Engineering Firm

Licensed Professional Geoscientist Firm

Asbestos
- Consultant Agency
- Consultant
- Project Designer
- Management Planner
- Air Monitoring
- Inspector

Indoor Air Quality
- Mold Assessment Company
- Mold Assessment Consultant
- Mold Assessment Technician

Lead
- Lead Firm
- Risk Assessor
- Inspector

Storage Tanks
- Corrective Action Specialist (CAS)
- LPST Corrective Action Manager (CAPM)

Wetlands
- United States Army Corp of Engineers Delineation Course Certified

Storm Water & Pollution Prevention
- Certified Preparer of SWPPP (CPSWPPP) and (CCIS)

Radon
- Residential Radon Measurement Provider
Recognized Associations

Keeping with the latest rules and regulations in the environmental field, Phase Engineering, Inc. and its staff are dedicated to current standards and legal issues by being involved with several professional associations:

- ASTM Committee Environmental Site Assessments for Commercial Real Estate Transactions & ASTM Phase II Task Force
- ASTM Teaching Staff - Phase I & Phase II Environmental Site Assessments
- Risk Management Association Board (RMA)
- Society of Wetland Scientists (SWS)
- Certified Commercial Investment Member (CCIM)
- Commercial Real Estate Women (CREW)
- Environmental Bankers Association (EBA)
- Houston Geological Society (HGS)
- Association of Commercial Real Estate Professionals (ACRP)
- Commercial Real Estate Network (CREN)
- Society of Industrial and Office Realtors (SIOR)
- Institute of Real Estate Management (IREM)
- Urban Land Institute (ULI)
- National Association of Government Guaranteed Lenders (NAGGL)
- Houston Association of Government Guaranteed Lenders (HAGGL)
- North Texas Association of Government Guaranteed Lenders (NTAGGL)
- Central Texas Association of Government Guaranteed Lenders (CTAGGL)
- El Paso Texas Association of Government Guaranteed Lenders (EPAGGL)
- Texas Bankers Association (TBA)
- Independent Bankers Association of Texas (IBAT)
- National Registry of Environmental Professionals (NREP)
- Texas Association of Environmental Professionals (TAEP)
- Commercial Real Estate Association of Montgomery County (CREAM)
- Houston Realty Business Coalition (HRBC)
- Texas Affiliation Of Affordable Housing Providers (TAAHP)
- ASTM Committee D18 on Soil and Rock, Subcommittee on Geospatial Technology
- Geological Association of America (GSA), South-Central Section, Environmental & Engineering Geology Division
- Houston Geological Society (HGS), Environmental and Engineering Group
- Urban and Regional Information Systems Association (URISA)
Recognized Associations (continued)

- Texas Association of Environmental Professionals (TAEP)
- Texas Association Professional Geoscientists (TAPG)
- Texas Board of Professional Geoscientists (TBPG)
- American Institute of Professional Geologists (AIPG), Texas Section, AIPG District IV – Southeast Texas
Online Proposal Request

Our online proposal request system is designed with you in mind to streamline the proposal request process in order to efficiently and quickly get your proposal to you when submitted online by you.

Your success is our success, and this online process helps expedite getting your project underway and completed on time.

Proposal requests may be submitted online at www.PhaseEngineering.com.

1. Begin at our website at www.PhaseEngineering.com to set up your own account.

2. At the bottom of the homepage, there is a section called "Request for Proposal". Below this heading (and below the log in username/password), you will see a link to create a "New user? Create an account here".

3. When you click on the link, your browser will take you to a new login page. On this page, you will see a section called "New Users".

4. Create your own username (preferably something that you will remember like your name [i.e. first initial and last name]) and your own password and insert your contact information.

5. Finally, click "Create Account".

Your account should be created, and you can go back to our homepage and order a proposal.

If you have any questions or comments, please contact Diana Hedrick at Diana@PhaseEngineering.com or Melanie Edmundson at Melanie@PhaseEngineering.com.

Phase Engineering’s quoted delivery for completed Phase I Environmental Site Assessments is approximately two weeks. Phase Engineering, Inc. does realize that there are circumstances when the client needs results faster and will work to accommodate. Rush reports can be prepared in approximately one week with an added rush fee (rush delivery may result in data gaps due to time constraints).

All pricing and delivery of services is generally on a site specific basis depending on the scope of the assignment with the clients required guidelines.

Pricing differentials may apply for large acreage or difficult properties.

www.PhaseEngineering.com
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<th>INSURER</th>
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<td>E.L. DISEASE - POLICY LIMIT $25,000</td>
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<td>B</td>
<td>COMMERCIAL GENERAL LIABILITY</td>
<td>EV2018196102</td>
<td>EACH OCCURRENCE $3,000,000</td>
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<td>DAMAGE TO RENTED PREMISSES (Ea occurrence) $50,000</td>
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<td>MED EXP (Any one person) $5,000</td>
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<td>PERSONAL &amp; ADV INJURY $3,000,000</td>
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<td>GENERAL AGGREGATE $5,000,000</td>
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<td>PRODUCTS - COM/OP AGG $5,000,000</td>
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<td>DEDUCTIBLE $25,000</td>
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**Certificate Holder**

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.
### ADDITIONAL REMARKS SCHEDULE

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>NAMED INSURED</th>
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<tbody>
<tr>
<td>BXS Insurance</td>
<td>Phase Engineering, Inc</td>
</tr>
<tr>
<td>POLICY NUMBER</td>
<td>5524 Cornish Street</td>
</tr>
<tr>
<td>CARRIER</td>
<td>Houston TX 77007</td>
</tr>
</tbody>
</table>

**CERTIFICATE OF LIABILITY INSURANCE**

General Liability, Pollution Liability and Auto Liability policies include waiver of subrogation in favor of certificate holder when required by written contract but in no event shall such coverage exceed the limits, terms or conditions of the policy.

General Liability, Professional Liability and Contractor's Pollution coverage is in a combined policy which carries a $5,000,000 Total Policy Aggregate limit.

Professional Liability and Contractor's Pollution policy includes a blanket additional insured endorsement when required by written contract but only with respect to liability arising out of a named insured's work for additional insured including and in no way will the additional insured status exceed the limits, terms or conditions of the policy.

30 Day Notice of Cancellation is provided when required by written contract except in the event of cancellation for Non-Payment of Premium under the Auto policy.

All coverages shown are subject to the Terms, Conditions and Exclusions of the policies.
Janis Franklin, PG
Environmental Program Manager/Due Diligence Services

Professional Experience
Ms. Franklin is a Professional Geoscientist and Senior Project Manager for Phase Engineering, Inc. Over the last 25 years, she has conducted and/or managed over 12,000 Phase I Environmental Site Assessment (ESAs), 1,200 Phase II ESAs, over 200 petroleum storage tank (PST)/leaking petroleum storage tank (LPST) related projects and over 50 projects under regulatory oversight in multiple programs including the Superfund, Voluntary Cleanup Program (VCP) and Petroleum Storage Tank (PST) Program.

Licenses/Certifications
- Asbestos Inspector (Texas), License #603137
- Lead Inspector (Texas), License #206233
- Corrective Action Project Manager CAPM #01209
- 40-Hour OSHA (HAZWOPER)
- Professional Geologist (Tennessee), License #TN4132
- Professional Geologist (Texas), License #1254

Education
- B.S. Geology, Austin Peay State University, Clarksville, TN
- M.S. Environmental Management, University of Houston, Clear Lake

Select Project Experience
University of Houston, Houston, TX: Performed subsurface investigations at several University owned properties that had underground storage tanks (USTs). For facilities where the USTs were determined to be leaking, performed investigations to determine the extent of affected soil and/or groundwater. Designed and implemented risk-based assessment plans. Prepared reimbursement packages and related documentation for submittal to the Texas Commission of Environmental Quality (TCEQ).

City of Houston: Involved in the implementation of city-wide investigation and corrective action for the City of Houston UST Program. Performed investigations at fire station and vehicle maintenance facilities at several sites throughout the city. Successfully prepared and presented risk-based assessment plans to the TCEQ.

WEF Ltd.: Performed Phase II site remediation which included geoprobe boring installations, soil and groundwater sampling for analysis, and soil bioremediation to reduce total petroleum hydrocarbon (TPH) contamination.

TCEQ, South: Involved in the implementation of Site Assessment Program tasks through approved work plans submitted to the Superfund, PST and VCP Divisions. Performed investigations at over 50 sites throughout south Texas.

Texas Parks and Wildlife, La Porte, TX: Managed a Scope of Work that included wastewater treatment plant sludge, soil and decontamination confirmation wipe sampling for analysis. Coordinated the decontamination and waste disposal activities.

Suiza Foods, Southwest: Developed stormwater pollution prevention plan for dairies in Louisiana and Texas. Prepared Notice of Intent (NOI) permits for the discharge of stormwater and submitted to the Louisiana Department of Environmental Quality (LDEQ) and/or Environmental Protection Agency (EPA). In addition, developed Stormwater Pollution Prevention Plans (SPPPs) for dairies in Oklahoma and Texas.
United States Postal Service, Nationwide: Scope of Work included NEP Assessments and/or UEP Assessments of properties in accordance with expansion and/or new construction requirements. Additional investigation and remediation work was authorized for properties with suspected environmental impairment.
Zahir Jamal
Senior Staff Environmental Scientist

Professional Experience

Mr. Zahir Jamal is a Professional Environmental Project Manager for Phase Engineering, Inc. Over the last 20 years, he has conducted and/or managed over 10,000 Phase I Environmental Site Assessment (ESAs) and Phase II Environmental Site Assessments. Licenses/Certifications

- 40-Hour OSHA (HAZWOPER) Education
- B.E. (Bachelor of Engineering) NED University, Karachi, Pakistan
- M.S. Environmental Engineering, University of Windsor, Windsor, Canada

Select Project Experience

City of Houston, Houston, TX:
- Performed subsurface investigations at several City of Houston owned properties that had underground storage tanks (USTs). For facilities where the USTs were determined to be leaking, performed investigations to determine the extent of affected soil and/or groundwater.
- Performed Phase II site remediation which included geoprobe boring installations, soil and groundwater sampling for analysis, and soil bioremediation to reduce total petroleum hydrocarbon (TPH) contamination.

Private and Industrial Clients:
- Performed several Phase I Environmental Site Assessments involving field investigations and report writing.
Veronica Pearson  
Staff Environmental Scientist

Professional Experience

Ms. Pearson is a technical writer and Staff Environmental Scientist at Phase Engineering gathering research data for Phase 1 Environmental Site Assessments, Record Search with Risk Assessment Reports, and Environmental Data Risk Reviews. She started at Phase in 2019 and in that time has gained experience writing technical reports, creating inquiries for Public Information Requests to public entities, searching historical street directories, as well as, in ArcGIS creating physical setting, topographic, and aerial imagery maps.

Education

- B.S. Environmental Science, University of Houston-Clear Lake, Houston, TX

Select Project Experience

APPENDIX VIII

REFERENCE SOURCES
REFERENCE SOURCES

- Site Sketch Maps: http://services.arcgisonline.com/arcgis/services.
- Texas Major & Minor Aquifers Geodatabase (Updated December, 2006): Texas Water Development Board (TWDB) GIS Data, http://www.twdb.state.tx.us/mapping/gisdata
- The Railroad Commission of Texas, Geographic Information System – Oil and Gas Well Digital Data Acquisition. Oil and gas well data and pipeline data were obtained from public records at the Railroad Commission of Texas (the Commission). http://www.rrc.state.tx.us.
- AAI Environmental Data, 5524 Cornish Street, Houston, Texas 77007, http://aaidata.com/
- EPA Enforcement & Compliance History Online (ECHO) http://www.epa-echo.gov/echo