

# **PHASE I ENVIRONMENTAL SITE ASSESSMENT**

**2.1522 ACRES, MORE OR LESS  
SOUTHWEST OF SOUTH BROADWAY STREET AND BAY FOREST DRIVE  
LA PORTE, HARRIS COUNTY, TEXAS**



***PREPARED FOR:***  
**CITY OF LA PORTE**

***BY:***  
**BERG & OLIVER ASSOCIATES, INC.**  
**ENVIRONMENTAL SCIENCE AND LAND USE CONSULTANTS**  
**HOUSTON, TEXAS**

**REPORT NO: 12853H-P1  
NOVEMBER 29, 2022**

## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>1.0 INTRODUCTION.....</b>	<b>3</b>
1.1 Purpose.....	3
1.2 Scope-of-Services .....	4
1.3 Significant Assumptions.....	6
1.4 Limitations and Exceptions .....	6
1.5 Special Terms and Conditions .....	7
1.6 User Reliance.....	7
1.7 Phase I ESA Report Effective Period .....	8
<b>2.0 SUBJECT PROPERTY DESCRIPTION.....</b>	<b>10</b>
2.1 Location.....	10
2.2 Subject Property and Vicinity General Characteristics .....	10
2.3 Descriptions of Structures, Roads, or Other Improvements .....	10
2.4 Current Use(s) of the Subject Property .....	10
2.5 Past Uses of the Subject Property .....	10
2.6 Current Uses of Adjoining Properties.....	10
2.7 Past Uses of Adjoining Properties.....	10
2.8 Site Location Maps, Site Survey, or Other Maps.....	10
<b>3.0 USER PROVIDED INFORMATION.....</b>	<b>11</b>
3.1 Specialized Knowledge.....	11
3.2 Commonly Known or Reasonably Ascertainable Information.....	11
3.3 Valuation Reduction for Environmental Issues.....	11
3.4 Title Commitment .....	11
<b>4.0 RECORDS REVIEW .....</b>	<b>13</b>
4.1 Standard Environmental Record Sources, Federal and State .....	13
4.1.1 National Priority List Superfund Sites and State Equivalent Sites.....	14
4.1.2 CERCLA Database .....	14
4.1.3 RCRA Database and TCEQ Industrial Hazardous Waste Facilities/Sites .....	15
4.1.4 Registered Petroleum Storage Tank Listings .....	15
4.1.5 Leaking Petroleum Storage Tank Facilities .....	16
4.1.6 Emergency Response Notification System and TxSpill Incidents .....	16
4.1.7 State Landfill List and/or Closed Landfill Inventory .....	16
4.1.8 State Equivalent CERCLIS.....	17
4.1.9 Unmapped Facilities/Sites and Tribal Facilities/Sites.....	18
4.2 Physical Setting Sources .....	18
4.2.1 Topography.....	18
4.2.2 Geology/Soils.....	19
4.2.3 Surface Water Hydrology .....	19
4.2.4 Hydrogeology.....	20
4.3 Historical Land Use Information .....	20
4.3.1 Title Searches .....	20
4.3.2 Historical Aerial Photographs .....	21
4.4 Historical Use Information for the Subject Property and/or Adjoining Properties .....	22



4.4.1	Historical Fire Insurance Maps .....	22
4.4.2	Historical City Directories .....	22
4.5	Additional Records Sources .....	23
4.5.1	Oil and/or Gas Exploration & Production Activity Search .....	23
<b>5.0</b>	<b>SITE RECONNAISSANCE .....</b>	<b>24</b>
5.1	Methodology .....	24
5.1.1	Hazardous Substances .....	24
5.1.2	Petroleum Products .....	25
5.1.3	Storage Tanks .....	25
5.1.4	Possible Presence of PCBs .....	25
5.1.5	Indications of Solid Waste Disposal .....	25
5.1.6	Water/Wastewater Disposal or Disposition .....	25
5.1.7	Other Conditions of Concern or Observations .....	26
<b>6.0</b>	<b>INFORMATION OBTAINED FROM OTHERS .....</b>	<b>27</b>
6.1	Owner/Occupant Questionnaire .....	27
6.2	Interview with Local Government Official or Similar Individuals .....	27
6.3	Interviews Obtained by Environmental Professional .....	27
<b>7.0</b>	<b>FINDINGS AND CONCLUSIONS .....</b>	<b>28</b>
<b>8.0</b>	<b>SIGNATURES OF ENVIRONMENTAL PROFESSIONALS .....</b>	<b>29</b>
<b>9.0</b>	<b>REFERENCES .....</b>	<b>30</b>

## **Figures**

Figure 1 – Vicinity Map

Figure 2 – Site Map

Figure 3 – Survey Map

## **Appendices**

Appendix A Regulatory Database Search

Appendix B Physical Setting Information

Appendix C Legal Description and Land Use Records

Appendix D Historical Aerial Photographs

Appendix E Fire Insurance Maps

Appendix F Historical City Directories

Appendix G Oil and Gas E&P Well Information

Appendix H Site Photographs

Appendix I Owner/Occupant Questionnaire and Interview Documentation

Appendix J Qualifications of Environmental Professionals

### **List of Common Acronyms**

AAI	All Appropriate Inquiry
AST	Aboveground Storage Tank
ASTM	American Society for Testing and Materials
AULs	Activity and Use Limitations
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (as amended, 42 U.S.C. § 9601 et seq.)
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
CESQG	Conditionally Exempt Small Quantity Generator
CFR	Code of Federal Regulations
CLI	Closed Landfill Inventory
CORRACT	Corrective Action
CREC	Controlled Recognized Environmental Condition
DCRF	Dry Cleaning Release Fund
DCRP	Dry Cleaning Remediation Program
DRYC	Dry Cleaning Facility
EC	Engineering Control
EPCRA	Emergency Planning and Community Right to Know Act (also known as SARA Title III), 42 U.S.C. §§ 11001-11050 et seq.).
ERNS	Emergency Response Notification System
ESA	Environmental Site Assessment (different than an environmental compliance audit)
FEMA	Federal Emergency Management Agency
FR	Federal Register
HREC	Historical Recognized Environmental Condition
IC	Institutional Control
IHW	Industrial Hazardous Waste
IOP	Innocent Owner/Operator Program
LLP	Landowner Liability Protections under the Brownfields Amendments
LPST	Leaking Petroleum Storage Tank
LQG	Large Quantity Generator
LUST	Leaking Underground Storage Tank
MSD	Municipal Settings Designation
NCP	National Contingency Plan
NFRAP	No Further Remedial Action Planned
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
PCBs	Polychlorinated Biphenyls
PST	Petroleum Storage Tank
RCRA	Resource Conservation and Recovery Act (as amended, 42 U.S.C. § 6901 et seq.)

### **List of Common Acronyms – continued**

REC	Recognized Environmental Condition
SARA	Superfund Amendments and Reauthorization Act of 1986 (amendment to CERCLA)
SEMS	Superfund Enterprise Management System
SQG	Small Quantity Generator
SWLF	Solid Waste Landfill
TSDf	Treatment, Storage, and Disposal Facility
USC	United States Code
USEPA	United States Environmental Protection Agency
USDA	United States Department of Agriculture
USGS	United States Geological Survey
UST	Underground Storage Tank
VCP	Voluntary Cleanup Program



## EXECUTIVE SUMMARY

**Subject Property Name:** 2.1522-acres, South Broadway Street tract.

**Location:** The subject property is located in La Porte, Harris County, Texas southwest of South Broadway Street and Bay Forest Drive.

**Legal Description:** The East 109 feet of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, and All of Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, all in Block 1254, of the Town of La Porte, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 60, Pages 112 and 113, of the Deed Records of Harris County, Texas, together with the abandoned alleyway located adjacent thereto, by City Ordinance No. 2004-2708, to which a certified copy of same appears of record under Harris County Clerk's File Number X471213.

**Current/Historic Land Use:** Currently the subject property is heavily wooded undeveloped land. Historically, the subject property appears to have been heavily wooded undeveloped land.

**Regulatory Review:** A review of the currently available database information indicates there three (3) mapped facilities reported within the American Society for Testing and Materials (ASTM) Standard search distances from the subject property. Additionally, there are eight (8) unmapped facilities/incidents reported in the regulatory database. For reasons discussed in Section 4.1 of this report this/these facilities/incidents do not appear to pose an environmental concern to the subject property.

**Site Reconnaissance:** Site reconnaissance was conducted on November 28, 2022, by Mr. Ben Price, Vice President of Berg ♦ Oliver Associates, Inc. The subject property was found to be nearly level, heavily wooded, undeveloped property. The property is located in an area of residential and undeveloped property. The property is adjoined to the west by a public golf course. No sign of potential environmental concern was observed onsite at the time of the site visit.

**Findings and Conclusions:** BOA has performed a Phase I Environmental Site Assessment (ESA) in conformance with the scope and limitations of the American Society for Testing and Materials (ASTM) Standard Practice E1527-13 of 2.1522 acres located southwest of Bay Forest Drive and South Broadway Street in La Porte, Harris County, Texas and described by legal description within the chain of title in Appendix C. Any exceptions to, or deletions from, this practice are described in *Section 1.4* of this report. Based on the findings presented in this Phase I ESA, this assessment has revealed the following:

- No evidence of RECs that may pose an environmental risk to the subject



property. Therefore, no additional investigation appears to be warranted for the subject property.

## 1.0 INTRODUCTION

The study reported herein is a Phase I Environmental Site Assessment (ESA) for a 2.1522-acre tract (subject property) located southwest of South Broadway Street and South R. Street in La Porte, Harris County, Texas. This Phase I ESA was performed within the scope of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. § 9601) and petroleum products. As such, this practice is intended 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 CERCLA liabilities: that is, the practices that constitute "All Appropriate Inquiries (AAI) into the previous ownership and uses of the property consistent with good commercial or customary standards and practices" as defined in 42 U.S.C. § 9601(35)(B).

### 1.1 Purpose

The objective of the Phase I ESA was to identify any recognized environmental conditions in connection with the subject property, to the extent feasible pursuant to the processes prescribed in American Society for Testing and Materials (ASTM) Standard Practice E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*.

The term "*recognized environmental condition*" (REC) is defined as (1) the presence of *hazardous substances* or *petroleum products* in, on, or at the *subject property* due to a *release* to the *environment*; (2) the likely presence of *hazardous substances* or *petroleum products* in, on, or at the *subject property* due to a *release* or *likely release* to the *environment*; or (3) the presence of *hazardous substances* or *petroleum products* in, on, or at the *subject property* under conditions that pose a *material threat* of a future *release* to the *environment*. A *de minimis condition* is not a *recognized environmental condition*.

The term "*historical recognized environmental condition*" (HREC) is defined as a previous release of any hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities, without subjecting the subject property to any controls (for example, activity and use or other property use limitations). A *historical recognized environmental condition* is not a *recognized environmental condition*.

The term "*controlled recognized environmental condition*" (CREC) is defined as a REC affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations).

Petroleum products are included within the scope of this practice since they are of concern with respect to commercial real estate and current custom and usage is to include inquiry into the presence of petroleum at the site when conducting an environmental site assessment of real estate. Inclusion of petroleum products within the scope of this practice is not based upon the applicability, if any, of CERCLA to petroleum products.

## 1.2 Scope-of-Services

BOA will perform the following components, as prescribed in the ASTM Standard Practice E1527-13, which comprise the fundamental scope under which this Phase I ESA was performed:

Records Review - Review current and historical records to assist in identification of RECs in connection with the subject property. A 50-year chain-of-title may be obtained and reviewed as part of the Phase I ESA scope of services if reasonably ascertainable. Under certain circumstances, historical title instruments and city directory review may be precluded from the completion of the Phase I ESA. Typically, this can occur when more than one tract of property is associated with the Phase I ESA (as often occurs with linear right-of-way projects), unless a prior agreement has been reached by the Client and Berg ♦ Oliver Associates, Inc. (BOA). BOA will provide extended title search information and review title instruments at cost, plus a cost-effective approach for reviewing the title instruments.

BOA will obtain and review available regulatory database information prepared to the approximate ASTM-designated minimum search distance. A reasonable effort or attempt to identify and reconcile inaccuracies presented in the database, if any, will be made if site-specific or related knowledge is available. Unmapped (orphan) regulatory facilities also will be reviewed and their potential risk to the subject property will be evaluated.

Per ASTM Standard Practice E1527-13, the following four historical resources will be utilized at minimum to evaluate the condition of the subject property, if reasonably available:

- Aerial photographs
- United States Geological Survey (USGS) 7.5-Minute Topographical Maps
- Fire Insurance Maps
- City/local street directories

Other resources that may be utilized for evaluation of the subject property include the following:

- Pertinent maps such as Railroad Commission of Texas Maps, Tobin Research Oil & Gas Maps, Geologic Maps, Aquifer Maps, Stratigraphic and Hydrogeologic Cross-



Section(s), Fault and Radon Maps, United States Department of Agricultural (USDA) and/or agricultural experiment station Soil Conservation Service (SCS) Maps, Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps or other available maps.

- Review of reasonably obtainable public agency records concerning the storage, treatment and/or disposal of hazardous substances, and the registration of and reported releases of petroleum storage tanks in the vicinity of the subject property.
- Review of available geotechnical or previous environmental reports for the subject property, when available.

Site Reconnaissance - Visually observe the physical conditions of the subject property, and any structures located on the property, to the extent not obstructed by bodies of water, adjacent buildings, or other obstacles that may hinder access. Additionally, a visual inspection of adjoining tracts will also be conducted.

Interviews – Conduct interviews with past and present owners, operators, and occupants of the subject property, as well as local government officials that may have jurisdiction of the area that the property exists. Interviews will be conducted with individuals familiar with the subject property and/or subject property history and/or historical operations performed at the subject property, when available. For abandoned properties where there is evidence of potential unauthorized uses or uncontrolled access, interviews with one or more owners or occupants of adjoining properties will be conducted.

Report – A document that identifies the findings, opinions, and conclusions of the environmental assessment including methodologies, information sources, and other necessary documentation will be prepared and submitted to the Client.

Some substances may be present on a property in quantities and under conditions that may lead to contamination of the property, or nearby properties, but are not included in the CERCLA definition of hazardous substances or do not otherwise present potential liability. This study was performed to achieve the following objectives:

- Evaluate past and current land use of the property, and adjacent properties, for indications of the generation, use, storage, transportation, and/or disposal of hazardous substances or petroleum products at the subject property.
- Evaluate the potential for soil and/or groundwater contamination due to the presence or potential presence of hazardous substances or petroleum products.
- Identify serious or potentially serious threats to human health or the environment to reduce the risks to agents, employees, contractors, and the general public.
- Recommend additional investigations as necessary to assess potential



contamination of the property and to determine the nature, level, and extent of such contamination, if present.

### 1.3 Significant Assumptions

BOA assumes the information concerning the legal description, metes and bounds, title commitment/purchase price versus the appraised value, owner (seller)/buyer provided information and other site-specific information provided by the Client are accurate. BOA does not warrant the accuracy of this information or whether additional work or site visits may be necessary due to inaccurate details concerning the subject property. BOA may require a change order in such cases. BOA will provide conclusions and recommendations based on professional judgment; and BOA will obtain all practically reviewable, publicly available, or reasonably ascertainable information concerning the subject property to the best of BOA's knowledge. This Phase I ESA is not intended to be an exhaustive investigation of "clean" properties such as a residential lot, vacant and undeveloped land with little historic activity, or a property with similar low to non-existent environmental risk factors. Phase I ESAs are applicable to undeveloped/vacant land and to developed properties.

No environmental site assessment can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with a property, and this practice recognizes reasonable limits of time and cost. Thus, not every property will warrant the same level of assessment or inquiry. Environmental site assessments must be evaluated based on the reasonableness of the judgments made at the time and under the circumstances in which they were made.

### 1.4 Limitations and Exceptions

This Phase I ESA report, and the opinions expressed herein concerning the potential for environmental impairment liabilities from regulated sites, are partially based on published information. Undetectable environmental risks may be present and not documented by regulatory agency files. Therefore, BOA does not warrant, guarantee, or certify the accuracy or completeness of such regulatory information. BOA disclaims any and all liability for errors, omissions, or inaccuracies in such information and data, and for any and all inaccurate conclusions, inadvertent or otherwise, which may be based on such information and data.

A significant data gap is defined by ASTM Standard Practice E1527-13 as "*a data gap that affects the ability of the environmental professional to identify a recognized environmental condition*". Any significant data gaps identified during the course of this Phase I ESA will be noted, along with a discussion as to how the data gap potentially affects conclusions regarding any RECs.

This Phase I ESA cannot wholly eliminate uncertainty regarding the potential for RECs in connection with the subject property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for such conditions.

### 1.5 Special Terms and Conditions

This Phase I ESA was authorized by Mr. Corby D. Alexander on behalf of City of La Porte and was prepared for Client use in evaluating the potential environmental risks associated with the subject property.

The ASTM Standard Practice E1527-13 states that there may be environmental issues or conditions at a property that parties may wish to assess in connection with commercial real estate that are outside of the standard scope. These issues and/or conditions are designated *non-scope considerations* or *additional services*. If, during the course of this assessment, such considerations or services are addressed in this report, they will be designated as such. The following are non-scope considerations that may be appropriate based on the specific land-use of the subject property. No implication is intended as to the relevance to the subject property or the relative importance of inquiry into such non-scope considerations and the list is not intended to be all inclusive:

- Asbestos-Containing Materials
- Radon
- Lead-Based Paint
- Lead in Drinking Water
- Wetlands
- Regulatory Compliance
- Cultural and Historic Resources
- Industrial Hygiene, Health and Safety
- Ecological Resources
- Endangered Species
- Indoor Air Quality
- Mold
- High Voltage/Tension Powerlines
- Emerging Contaminants (not yet regulated as hazardous substances under CERCLA)

### 1.6 User Reliance

This Phase I ESA report does not constitute an appraisal of value or legal opinion, and BOA makes no representations or warranties regarding the fitness of the property for any specific use or value. BOA assumes no responsibility with respect to customer use or third-party use of this report. BOA is not liable for any special consequential or exemplary damages resulting, in whole or in part, from customer use of the report. This report was conducted



and prepared under the scope of services presented in the proposal contract between BOA and the Client. This report was prepared utilizing site-specific data that may only be applicable to a certain time period or may be specific to the Client and was specifically used as the basis for preparation of this report.

Unauthorized reliance of this document by anyone other than above-listed Client is strictly prohibited. No warranty is specifically expressed, or implied in third party matters of this nature, and unauthorized utilization of this document is made at any third party's risk. Any third-party utilization of this document will require BOA review of the information and a reliance letter to be prepared and provided by BOA.

#### 1.7 Phase I ESA Report Effective Period

This Phase I ESA report meets the applicable standards set forth per ASTM Standard Practice E1527-13 and is effective for a 180-day period beginning from the date of declaration by the environmental professional.

However, this Phase I ESA report also incorporates new elements in conformance with the updated E1527-21 Standard which contains more stringent requirements in terms of searches for environmental liens, USGS topographic maps, and differences in the manner that the 180-day effective period is calculated. Although USEPA has rescinded its Direct Final Rule formally adopting ASTM Standard Practice E1527-21 into its AAI rules, the retraction by USEPA is not related to a lack of confidence in the 2021 Standard but rather to confusion in the regulated community from USEPA's original intention to allow use of both the 2013 Standard and the 2021 Standard. USEPA has announced plans to re-adopt the 2021 Standard at a later date and rescind the use of the 2013 Standard as a portion of AAI rules. To account for potential differences between lenders, developers, and other members of the regulated community who may require a Phase I ESA to different ASTM Standards, **this Phase I ESA report also satisfies the data requirements of the E1527-21 Standard.** ASTM Standard Practice E1527-2021 states the 180-day effective period begins on the earliest date of the five main AAI components that were conducted as part of the Phase I ESA. For those desiring to calculate the effective period per the 2021 standard, the five main AAI components and corresponding dates are listed by report section in the table below.

Table 1: E1527-21 Standard AAI Components

AAI Component	Report Section	Description	Date Completed
Government Records Review	4.1 – Standard Environmental Records Sources, Federal and State	Regulatory Database Search	November 7, 2022
Recorded Environmental Cleanup Lien Search	4.3 - Historical Use Information	Chain-of-Title Search/ Review of Title	November 14, 2022

		Commitment	
Site Reconnaissance/Visual Inspection	5.0 - Site Reconnaissance	Visual inspection of subject property and adjoining properties	November 28, 2022
Interviews with Owners, Operators, and Occupants	6.0 - Interviews	Interviews	November 14, 2022
Declaration by the Environmental Professional	8.0 – Signatures of Environmental Professionals	Names, titles, and signature dates	November 29, 2022



## 2.0 SUBJECT PROPERTY DESCRIPTION

### 2.1 Location

The subject property is located in La Porte, Harris County, Texas southwest of South Broadway Street and South R. Street.

### 2.2 Subject Property and Vicinity General Characteristics

The subject property is a 2.1522 acre heavily wooded undeveloped tract. Land use in the general vicinity includes a golf course, residential, retail, and commercial development.

### 2.3 Descriptions of Structures, Roads, or Other Improvements

No structures, roads, or other improvements were observed on the subject property. Vegetation at the subject property consists of prairie grasses, miscellaneous weeds, brush, and large timber scattered throughout. The subject property topography is predominantly flat.

### 2.4 Current Use(s) of the Subject Property

Currently, the subject property is heavily wooded undeveloped land.

### 2.5 Past Uses of the Subject Property

Historically, the subject property appears to have been heavily wooded undeveloped land.

### 2.6 Current Uses of Adjoining Properties

Currently, adjoining properties to the north include Bay Forest Drive, wooded undeveloped land, and residential development. Adjoining properties to the east include South Broadway Street and undeveloped land beyond. Adjoining properties to the south are residential development. Adjoining properties to the west are a parking.

### 2.7 Past Uses of Adjoining Properties

Historically, all adjoining properties appear to have been wooded undeveloped land and some residential home sites.

### 2.8 Site Location Maps, Site Survey, or Other Maps

A Vicinity Map is presented as **Figure 1**. A Site Location Map is presented as **Figure 2**. A Site Survey is presented as **Figure 3**.

### 3.0 USER PROVIDED INFORMATION

#### 3.1 Specialized Knowledge

Specialized knowledge may include actual historical knowledge the user has concerning the subject property. Specialized knowledge also may be provided by others that are familiar with the subject property.

No specialized knowledge of the subject property was revealed during the completion of this assessment.

#### 3.2 Commonly Known or Reasonably Ascertainable Information

Commonly known and reasonably ascertainable information concerning the subject property as defined by ASTM Standard Practice E1527-13 was obtained and reviewed for this project. Reasonably identified data gaps or data failures will be reported, when the environmental professional determines the lack of information creates an unacceptable risk, and additional work is warranted.

- No data gaps in relation to user provided information were identified during this assessment.

#### 3.3 Valuation Reduction for Environmental Issues

BOA does not possess the information required to compare the purchase price of the subject property to the fair market value of the subject property. However, this assessment has revealed no evidence of RECs likely to adversely affect the value of the subject property.

#### 3.4 Title Commitment

A Title Commitment may be used in place of or in conjunction with the historical 50-year Chain of Title search (discussed in Section 4.3.1).

A title commitment prepared by Texan Title Insurance Company on September 19, 2022, was provided to BOA by the User to investigate historical ownership of the subject property and to determine if any previous title holders of the property were engaged in a business or activity which could possibly contribute to exposure or contamination of the subject property.

In many cases information regarding ownership and/or usage may be obtained from the title commitment but may not provide information regarding specific activities on the property. The most pertinent information gained from this title commitment is presented in Schedule B and Schedule C. The information tends to be details such as pipeline right-of-way easements, oil and gas mineral leases and royalty interests, oil/gas production-related

notations and/or oil/gas access agreements (ingress/egress) and other utility easements.

- Review of the title commitment revealed no information that may indicate the use or disposal of hazardous or toxic wastes on the subject property. No environmental liens associated with the subject property were found in public records during this title commitment review.

ASTM Standard Practice E1527-13 requires a search of judicial records for activity and use limitations (AULs) for jurisdictions in which AULs are NOT filed as part of the real property records. In the State of Texas, both TCEQ and RRC require AULs to be filed with the real property records. Therefore, search of judicial records in Texas for AULs is not necessary.

A copy of the title commitment is presented in *Appendix C*.



## 4.0 RECORDS REVIEW

### 4.1 Standard Environmental Record Sources, Federal and State

The number of listed regulatory facilities/sites identified within the ASTM-designated minimum search distance from the federal and state environmental records database listings specified in ASTM Standard Practice E1527-13 are summarized in the table below. Detailed information for the facilities/sites identified within the search range is provided, along with an opinion regarding the significance of the listing to the analysis of RECs in connection with the subject property. Regulatory database files provided by the Banks Environmental Data Regulatory Database Report are presented in *Appendix A*.

Table 2: Regulatory Database Search, ASTM Search Distances

Regulatory Database Reviewed	Number of Listings					Comments
	On-Site	Adjoining Facilities/Sites	<0.25-mile search radius	>0.25 to 0.50-mile search radius	>0.50 to 1.0-mile search radius	
Federal NPL	0	0	0	0	0	
Federal Delisted NPL	0	0	0	0		
CERCLA SEMS	0	0	0	0		
CERCLA SEMS NFRAP	0	0	0	0		
RCRA CORRACT	0	0	0	0	0	
RCRA TSDF	0	0	0	0		
RCRA Generator/Handler	0	0				
ERNS	0					
TX/Tribal Superfund	0	0	0	0	0	
TX/Tribal IHW	0	0				
TX/Tribal SWLF	0	0	0	0		
TX/Tribal LPST	0	1	0	1		
TX/Tribal PST	0	1				
TX/Tribal EC/IC	0					
TX/Tribal VCP	0	0	0	0		
TX/Tribal Brownfield	0	0	0	0		
TX DRYC	0	0	0			



TX/Tribal MSD	0	0	0			
Note: Shaded cells indicate distances are outside of the ASTM standard search distance and do not apply. See List of Common Acronyms on pages IV and V of this report.						

A review of regulatory agency site listings was conducted to determine the proximity of documented regulatory sites in reference to the tract being investigated. These agency-regulated sites may be facilities that store, transport, generate, or dispose of regulated waste materials. The listing of these facilities/sites does not imply that they impact the subject tract through undisclosed dumping, surface run-off, or subsurface migration, but are listed solely to show the proximity of the regulated sites to the subject property. The locations of the facilities/sites are approximate, based on information filed with the respective agencies, and may have not been field verified. The following is a list of regulatory agencies from which data was reviewed.

#### 4.1.1 National Priority List Superfund Sites and State Equivalent Sites

The United States Environmental Protection Agency (USEPA) compiles a list of facilities/sites that may have significant environmental concerns and are listed as a National Priority List (NPL) facility/site, if deemed appropriate and have a priority ranking system. These sites/facilities are often cross-referenced to a CERCLA facility/site listing. Facilities that have been identified as CERCLA sites are assigned a Hazard Ranking after an assessment of the potential threats the site may pose to human health and the environment. Some of the facilities may require remedial action but may have since been de-listed after an appropriate approved response (No Further Remedial Action Planned [NFRAP]). Also, some facilities/sites may be determined not to have a significant environmental concern after the assessment phase of the facility or property.

No NPL Superfund sites are listed within a 1-mile search radius of the subject property.

No state equivalent facilities/sites are listed within a 1-mile search radius of the subject property.

#### 4.1.2 CERCLA Database

One of the statutory features of CERCLA is the requirement and funding of remedial actions for release or threat of release of hazardous substances, pollutants, or contamination that may present imminent or substantial damage to public health and welfare.

This Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database is a compilation of those facilities, which the U.S. Environmental Protection Agency has identified as having known or suspected uncontrolled release of hazardous substances, contaminants, or pollutants. This list also encompasses all abandoned hazardous waste sites. These facilities/sites will be assessed and either a hazard ranking will be applied for possible NPL inclusion, or the facility will be de-listed.

Some of the facilities may require remedial action but may have since been de-listed after an appropriate approved response and designated as NFRAP. Also, some facilities/site may be determined not to have a significant environmental concern after the assessment phase of facility, or property.

No CERCLA facilities/sites are listed within a 0.5-mile search radius of the subject property.

#### 4.1.3 RCRA Database and TCEQ Industrial Hazardous Waste Facilities/Sites

The Resource Conservation and Recovery Act (RCRA) defines and regulates facilities that generate, transport, treat, store, or dispose of hazardous waste. Such facilities are listed in the RCRAIS database, which identifies the following: treatment, storage, or disposal (TSD) facilities; corrective action (CORRACT) facilities; large quantity generators (LQG, >1000 kilograms per month [kg/mo]); and small quantity generators (SQG, between 100 and 1000 kg/mo). The database may also include conditionally exempt small quantity generators (CESQG), handlers, transporters, listed violation(s) for a facility and/or enforcement actions. The TCEQ Industrial Hazardous Waste (IHW) division employs a database that tracks the shipping of regulated waste (Facility ID and Waste Code). Depending upon types of waste generated, stored, or received or the type of processes conducted onsite, some facilities are also required to register with TCEQ as Industrial Hazardous Waste Generators (IHW). These facilities are often cross listed with RCRA Generator facilities, as the registration requirements are similar.

No RCRA TSD facilities are listed within a 0.5-mile search radius of the subject property.

No RCRA CORRACT facilities are listed within a 1-mile search radius of the subject property.

No RCRA Generator/Handler facilities are listed on the subject property or on adjoining properties.

No TCEQ IHW facilities/sites are listed on the subject property or on adjoining properties.

#### 4.1.4 Registered Petroleum Storage Tank Listings

Owners of Petroleum Storage Tanks (PSTs) are required to register PSTs, along with construction information concerning the PST system, with the Texas Commission on Environmental Quality (TCEQ).

One (1) registered PST facility is listed on the subject property or on adjoining properties.

The PST site is listed as Bay Forest Golf Course (Facility #: 54521) located at 201 Bay Forest Drive approximately 0.06 mile west of the subject property. Regulatory database information indicates the facility has no records of reported leaks or releases. This facility



does not appear to pose a threat to the subject property.

#### 4.1.5 Leaking Petroleum Storage Tank Facilities

Leaking Petroleum Storage Tank (LPST) facilities are regulated by TCEQ and consist of either Above Ground Storage Tanks (ASTs) or Underground Storage Tanks (USTs) that have been reported with leaks, spills, or other releases of petroleum products or hazardous substances, potentially resulting in soil and/or groundwater impacts.

Two (2) LPST facilities are listed within a 0.5-mile search radius of the subject property.

The first LPST site is listed as Bay Forest Golf Course (LPST ID: 114833) located at 201 Bay Forest Drive approximately 0.06 mile west of the subject property. Regulatory database information indicates the facilities assessment was incomplete with no apparent receptors impacted. Final concurrence has been issued and case closed by the TCEQ.

The second LPST site is listed as Howards Hardware (LPST ID: 112705) located at 2426 Highway 146 approximately 0.43 mile south of the subject property. Regulatory database information indicates the facility had no groundwater impacts. Final concurrence has been issued and case closed by the TCEQ. This facility does not appear to pose a threat to the subject property.

#### 4.1.6 Emergency Response Notification System and TxSpill Incidents

The Emergency Response Notification System (ERNS) is a national computer database system used to store information on sudden and/or accidental release of hazardous substances and petroleum products into the environment. The ERNS reporting system contains preliminary information on specific incidents or releases, including the location, the substance released, and the responsible party. TxSpill listings are a State of Texas database that records spills requiring notification that occur within the boundaries of the state.

No ERNS incidents are recorded on the subject property.

No TxSpill incidents are recorded on the subject property.

#### 4.1.7 State Landfill List and/or Closed Landfill Inventory

The TCEQ Municipal Solid Waste Division maintains a landfill tracking system that identifies *Municipal Solid Waste Landfills* (MSWL or SWLF) in the state. The division regulates the disposal and treatment of MSW and special waste. The TCEQ also compiled a *Closed Landfill Inventory* (CLI) that is maintained by the Houston-Galveston Area Council. In general, this database provides as much information as is available for unpermitted landfills whose operations pre-dated registration requirements. Additional lists include *Unnumbered*



*MSW Landfills (UNUM) and Revoked or Not Issued MSW Landfills.* The Unnumbered Landfill list indicates the landfill may be an old, closed MSW landfill that operated before permits were required and includes unauthorized landfills and miscellaneous illegal dumps and disposal sites. Landfills reported on the Revoked or Not Issued list identifies landfills where permits were revoked and other authorizations for the MSW landfills and processing facilities, and applications that were withdrawn, returned, or denied.

No MSW landfill sites are listed within a 0.5-mile search radius of the subject property.

No CLI sites are listed within a 0.5-mile search radius of the subject property.

#### 4.1.8 State Equivalent CERCLIS

The Texas Commission on Environmental Quality maintains a database of sites that serve as a state equivalent to the USEPA CERCLIS database. Sites in this category include the Voluntary Cleanup Program (VCP) and the Innocent Owner/Operator Program (IOP). VCP sites are properties which are not under enforcement order, but which have a materials release that is being investigated and/or remediated by the property owner or their agents. IOP sites are properties on which a materials release from an unrelated off-site source has been identified; however, the owner and/or operator have applied to the state for release of liability and responsibility associated with the materials release.

No VCP facilities/sites are listed within a 0.5-mile radius of the subject property.

No IOP facilities/sites are listed within a 0.5-mile radius of the subject property.

State Institutional Controls (IC) are non-engineered instruments such as administrative and legal controls that help minimize the potential for human exposure to contamination and/or protect the integrity of the remedy. Institutional controls play an important role in site remedies because they reduce exposure to contamination by limiting land or resource use and guide human behavior and are used when contamination is first discovered, when cleanups are ongoing and when residual contamination remains on site at a level that does not allow for unlimited use and unrestricted exposure after cleanup. A Municipal Setting Designation (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.

No State IC facilities/sites are listed within a 0.5-mile radius of the subject property.

No MSD facilities/sites are listed within a 0.5-mile radius of the subject property.

A Brownfield is a facility/site in which re-use of the property may be complicated by the presence or potential presence of contamination. Such facilities/sites may enter the EPA Brownfields program and may apply for grants to be used for investigation and/or cleanup of impaired sites.

No Brownfields facilities/sites are listed within a 0.5-mile radius of the subject property.

The presence of a dry-cleaning facility on the subject property or adjoining a subject property can pose an environmental risk. The use of dry-cleaning solvents has been linked to soil and groundwater contamination. The State of Texas established the Dry-Cleaning Facility Release Fund (DCRF) in 2003 which is administered by TCEQ and requires dry cleaning (DRYC) facilities and/or drop-off stations to register and contribute to the fund. The DCRF created the Dry Cleaner Remediation Program (DCRP) which may then be accessed to assist with remedial action at sites contaminated as the result of dry-cleaning activities. The DCRP *prioritization list* may indicate which DCRP facilities have applied for remediation assistance. The DCRP *closure list* indicates which DCRP facilities have undergone remediation and have met TCEQ regulatory standards. A listing of a facility on the DCRP list is not wholly indicative of all facilities with potential contamination but may assist in the determination of a REC.

No DRYC facilities/sites are listed within a 0.5-mile radius of the subject property.

#### 4.1.9 Unmapped Facilities/Sites and Tribal Facilities/Sites

Unmapped ("orphan") sites are sites for which latitude/longitude information has not been provided to the regulatory agencies and are therefore not mapped by the regulatory database search program. These sites are generally included in the regulatory database information due to having a similar zip code as the target property. Tribal facilities/sites include releases that have occurred on Native American lands may be addressed under the stewardship of the appropriate tribal council rather than under state or federal jurisdiction.

Seven (7) ERNS and one (1) HW unmapped sites or "orphan" sites are reported in the regulatory database information. Information provided for the sites were reviewed. The listed sites do not appear to pose an environmental threat to the subject property.

No Tribal facilities/sites are listed within a 0.5-mile radius of the subject property.

## 4.2 Physical Setting Sources

### 4.2.1 Topography

A review of historical USGS 7.5-minute topographic maps was conducted to evaluate natural and manmade surface features including historical development of the subject property and surrounding properties. The following available topographic maps were



obtained from Banks Environmental Data, Inc.:

Table 3: Historical Topographic Map Data

Year	Quadrangle Name	Scale
1916	La Porte, TX	1" = 2000'
1920	La Porte, TX	1" = 2000'
1944	La Porte, TX	1" = 2000'
1955	La Porte, TX	1" = 2000'
1967	La Porte, TX	1" = 2000'
1982	La Porte, TX	1" = 2000'
1995	La Porte, TX	1" = 2000'
2010	La Porte, TX	1" = 2000'
2013	La Porte, TX	1" = 2000'
2016	La Porte, TX	1" = 2000'
2019	La Porte, TX	1" = 2000'
2022	La Porte, TX	1" = 2000'

Based on a review of the available topographic maps, the subject property is approximately 15 feet above mean sea level (MSL) and slopes in a southerly direction towards Taylor Bayou.

Copies of the USGS 7.5-minute topographic map(s) are presented as part of the Physical Setting Information in *Appendix B*.

#### 4.2.2 Geology/Soils

The subject property is situated on soils derived from the Beaumont geological formation and contains soils of the Midland-Beaumont association, as described in the USDA SCS Web Soil Survey for Harris County. The subject property soils are identified as Beaumont clay (BeaA) and Beaumont-Urban land complex (BecA).

A copy of the soil survey map and the USDA SCS soil descriptions for the subject property are presented in *Appendix B*.

#### 4.2.3 Surface Water Hydrology

The general flow of surface water across the subject property appears to migrate from a northerly direction towards Taylor Bayou.

According to the FEMA floodplain map (Firmette #48201C0945M, dated 01/06/2017) and the USGS Topographic map of the area, the subject tract does appear to lie within the 100-year floodplain zone of the Taylor Bayou Watershed.

The FEMA Floodplain Map is presented in *Appendix B*.



#### 4.2.4 Hydrogeology

The subject property is underlain by the two principal freshwater aquifers, the Chicot and the Evangeline. These groundwater sources are encountered throughout much of the Texas Gulf Coast, including Harris County.

The Chicot Aquifer consists of two productive units, designated the Upper and Lower Chicot Aquifers. The Upper Chicot unit, comprised of the water-bearing sands in the Beaumont and Upper Lissie Formations, extends to a depth of approximately 250 feet below ground surface (ft-bgs). The Lower Chicot unit, comprised of the water-bearing sands in the Lower Lissie and the Willis Sand of the Willis Formation, occurs within the approximate depth interval of 250 to 600 ft-bgs. The aquifers are noted for their high sand-clay ratio and abundance of water. Use of the Chicot Aquifer in the Houston area is limited, other than as a water source for domestic or light industrial water supply uses.

The Evangeline Aquifer, corresponding to the Goliad Sand of the Willis and Fleming Formations, represents the principal subsurface water supply source for the City of Houston and surrounding communities. The aquifer is noted for its abundance of good quality ground water and is considered one of the most prolific aquifers in the Texas Coastal Plain. Individual sand beds are characteristically tens of feet thick. Public water supply wells completed within the Evangeline Aquifer in this area are typically screened within a depth interval of 600 to 2,400 ft-bgs.

#### 4.3 Historical Land Use Information

##### 4.3.1 Title Searches

A 50-year chain-of-title was prepared and reviewed to investigate previous historical ownership of the subject property. This title search was prepared by ERIS, Austin, Texas on November 14, 2022, to determine if any previous title holders of the property were engaged in a business or activity which could possibly contribute to exposure or contamination of the subject property. In many cases chain-of-title information may provide information regarding ownership and/or usage but may not provide information regarding specific activities on the property. The exhibits, specifically "Exhibit B" tends to be the most pertinent information gained from title documents and details such items as pipeline right-of-way easements, oil and gas mineral leases and royalty interests, oil/gas production-related notations and/or oil/gas access agreements (ingress/egress) and other utility easements.

Review of this chain-of-title revealed that no previous title appears from the title report to have been vested in a title holder who would be suspected of the use or disposal of hazardous or toxic wastes. No environmental liens associated with the subject property were found in public records during this chain-of-title review.

ASTM Standard Practice E1527-13 requires a search of judicial records for activity and use limitations (AULs) for jurisdictions in which AULs are NOT filed as part of the real property records. In the State of Texas, both TCEQ and RRC require AULs to be filed with the real property records. Therefore, search of judicial records in Texas for AULs is not necessary.

A copy of the chain-of-title is presented in *Appendix C*.

#### 4.3.2 Historical Aerial Photographs

A review of historical aerial photography was conducted to evaluate past and present land use, structures, improvements, surface anomalies, and historical development of the subject property and surrounding properties. Photographic coverage was obtained from TelAll Corporation and NearMap for the following years:

Table 4: Historical Aerial Imagery Data

Year	Source	Type	Scale
1939	USDA	B & W	1" = 700'
1953	AMS	B & W	1" = 700'
1966	USGS	B & W	1" = 700'
1976	USGS	B & W	1" = 700'
1989	TXDOT	B & W	1" = 700'
1995	USGS	B & W	1" = 700'
2004	NAIP	IR	1" = 700'
2016	NAIP	Color	1" = 700'
2020	NAIP	Color	1" = 700'
2022	NEARMAP	Color	1" = 125'

Aerial photographs were utilized to determine if visual evidence of potential environmental concern was apparent on the subject property. Visual evidence will often include soil disturbance (barren areas) which may indicate on-site waste disposal, mining, soil/sand/gravel pit activities, or a previous use of the subject property; visible pipeline right-of-way easements; historical changes of structures and/or oil and gas E&P activity. Based on a review of available aerial photographs for the subject property and adjoining properties, BOA noted the following:

- The 1939 aerial photograph shows the subject property is wooded undeveloped land. South Broadway Street is present to the east. A structure is present on the property adjoining the subject site to the northeast. Characteristics of the general vicinity include wooded undeveloped land, open undeveloped land, and scattered residential homesites present to the east of South Broadway Street.
- The 1953, 1966, and 1976 aerial photographs show little evidence of change to the subject property with the exception that Taylor Bayou is now present at the southwest corner of the subject property. Residential and commercial development continues



in the vicinity.

- The 1989, and 1995 aerial photographs show that Bay Forest Golf Course with its associated structures and parking space is present on the property adjoining the subject site to the west.
- The 2004, 2016, 2020, and 2022 aerial photographs show that several residential homesites are now present on the property adjoining the subject site to the north. The Retreat at Bay Forest North subdivision is now present to the south of the subject property. The subject property remains wooded undeveloped land with residential and commercial development continuing in the vicinity.

Copies of aerial photographs for the subject property and surrounding area are presented in *Appendix D*.

#### 4.4 Historical Use Information for the Subject Property and/or Adjoining Properties

##### 4.4.1 Historical Fire Insurance Maps

Historical fire insurance maps are an evaluation tool previously generated for older, commercial, and industrial portions of urban areas. These maps show construction details for building structures and descriptions of business types on the mapped properties. Fire insurance maps are useful documentation of past property use in urban areas. These maps are generally hand-drafted maps that were prepared in previous years for various purposes but were basically completed/utilized for fire-related information (location of hydrants, water lines and on-site fire equipment locations), but often show other features that may have associated environmental concerns. These maps, when available are often more appropriate than aerial photographs because they are similar to architectural site plans and may show features and equipment not apparent on aerial photography. Available maps were obtained by Banks Environmental Data, Inc.

No historical fire insurance map coverage is available for the subject property.

A copy of the fire insurance map findings covering the subject property area is presented in *Appendix E*.

##### 4.4.2 Historical City Directories

Historical city directories provide a source for researching the previous use of the subject property and properties in the surrounding vicinity. Historical directories were compiled by Environmental Risk Services (ERIS). Cole/Polk and/or Kriss Cross historical city directories, when available, are utilized for this investigation.

BOA reviewed city directories for the subject property and adjoining properties, and no RECs were identified.



A copy of the historical city directories findings covering the immediate area of the subject property is presented in *Appendix F*.

#### 4.5 Additional Records Sources

##### 4.5.1 Oil and/or Gas Exploration & Production Activity Search

A review of Railroad Commission (RRC) of Texas records was conducted to determine if current or past oil and/or gas exploration and production (E&P) activity was present on the subject property. According to a regional oil and gas survey map, prepared by Tobin Research, Inc. indicates that there are no oil and/or gas E&P well site(s) mapped on or immediately adjoining the subject property.

Copies of the oil and gas well E&P map and/or RRC documents are presented in *Appendix G*.

## 5.0 SITE RECONNAISSANCE

### 5.1 Methodology

A site reconnaissance was performed by BOA on November 28, 2022 which included a visual inspection of the subject property and adjacent properties as observed during observation of the periphery of the subject property. The purpose of the physical investigation was to attempt to visually identify the obvious presence of, or the potential for, contamination of the subject property. The following checklist is based on the site reconnaissance observations.

YES	NO	
	X	Hazardous Substances
	X	Petroleum Products
X		Storage Tanks (AST discussed in regulatory section)
	X	Containers
	X	Electrical or Mechanical Equipment Likely to Contain PCBs
	X	Stained Soil or Pavement
	X	Stressed Vegetation
	X	Solid Waste- Dumping, Landfills, or Suspect Fill Material
	X	Drains or Sumps
	X	Wastewater Discharges
	X	Septic/Sewage Tanks, Cesspools
	X	Pits, Ponds or Lagoons
	X	Monitoring Wells
	X	Wells
	X	Hydraulic Lifts
	X	Oil/Water Separators
	X	Parts Cleaning/Washing Stations
	X	Truck Wash Bays/Racks
	X	Other Conditions of Concern

*Golf course  
tank.*

#### 5.1.1 Hazardous Substances

No findings or evidence of the storage, transportation, disposal, or generation of hazardous substances was observed on the subject property.

The subject property and adjoining properties were inspected for evidence of hazardous substances contained in 55-gallon drums, totes, and containers. No evidence of drums, totes, or containers was observed on the subject or adjoining properties.

### 5.1.2 Petroleum Products

No findings or evidence of the storage, transportation, disposal, or generation of petroleum products was observed on the subject property.

The subject property and adjoining properties were inspected for evidence of petroleum products contained in 55-gallon drums, totes, and containers. No evidence of drums, totes, or containers was observed on the subject or adjoining properties.

### 5.1.3 Storage Tanks

The subject property and adjoining properties were inspected for evidence of storage tanks, both above and below ground (ASTs/USTs). No evidence of tanks was observed on the subject or adjoining properties with the exception of the previously discussed adjoining AST judged not to be a concern at this time.

### 5.1.4 Possible Presence of PCBs

Electrical transformers present the most common potential source of PCBs or PCB-containing substances. In the past, it was common practice for transformers to utilize PCBs as heat dispersants in the lubricating oils. Therefore, transformers are the primary focus of site inspection for PCBs.

All transformers on or adjacent to the property were inspected for signs of deterioration or leakage, and none were observed. The ground surface below the transformers was inspected for signs of oily residue or stressed vegetation, and none were observed. No evidence of transformer oil leakage was observed.

BOA has contacted Reliant Energy in the past to inquire about its policy of PCB control, and Reliant Energy representatives have stated that Reliant Energy is in compliance with the Toxic Substances Control Act (TSCA), which regulates PCBs. All transformers purchased by Reliant Energy were manufactured after July 1, 1979 and are of the "non-PCB" type. However, transformers manufactured prior to this date are considered contaminated unless testing proves otherwise. Regulations do not require Reliant Energy to conduct testing. Testing and replacement of transformers are at the request and expense of the customer.

### 5.1.5 Indications of Solid Waste Disposal

No evidence of on-site solid waste disposal was observed on the subject property.

### 5.1.6 Water/Wastewater Disposal or Disposition

The subject property has been vacant and undeveloped to date and water/wastewater



disposal/discharges do not appear to have occurred on the subject property.

#### 5.1.7 Other Conditions of Concern or Observations

Vapor intrusion is not considered to be a condition of concern for the subject property, since no RECs associated with potential subsurface contaminants were identified that could pose a vapor intrusion risk from on-site sources or from off-site sources in close proximity.

No other conditions of concern were observed during site reconnaissance.

Photographs documenting the conditions and structures described on the subject property are presented in *Appendix H*.

## 6.0 INFORMATION OBTAINED FROM OTHERS

### 6.1 Owner/Occupant Questionnaire

An Owner/Occupant Questionnaire was sent to Mr. Mark Herrin on November 4, 2022, requesting information on past and present uses of the subject property. A response was received on November 7, 2022, indicated no knowledge of potential environmental issues associated with the subject property.

A copy of the Owner/Occupant Questionnaire is presented in *Appendix I*.

### 6.2 Interview with Local Government Official or Similar Individuals

A hazardous materials response call data request was submitted to the City of La Porte Fire Department on November 8, 2022, for information on hazardous materials response calls in the area of the subject property. A response was received on November 18, 2022, indicating the City of La Porte has no records responsive to this request.

A copy of the hazardous materials response call data request and response is attached in *Appendix I*.

### 6.3 Interviews Obtained by Environmental Professional

No other individuals were identified who would be likely to have specific knowledge concerning the environmental condition of the subject property.

A copy of the interview documentation is provided in *Appendix I*.

## 7.0 FINDINGS AND CONCLUSIONS

BOA has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Standard Practice E1527-13 of 2.1522 acres located southwest of Bay Forest Drive and South Broadway Street in La Porte, Harris County, Texas and described by legal description within the chain of title in Appendix C. Any exceptions to, or deletions from, this practice are described in Section 1.4 of this report. Based on the findings presented in this Phase I ESA, this assessment has revealed the following:

- No evidence of RECs that may pose an environmental risk to the subject property. Therefore, no additional investigation appears to be warranted for the subject property.



## 8.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

This Phase I ESA was prepared for, and submitted to, City of La Porte by Berg ♦ Oliver Associates, Inc., on this, the 29th day of November 2022. We declare that, to the best of our professional knowledge and belief meet the definition of Environmental Professional(s) as defined in 312.10 of this part. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed all appropriate inquiries (AAI) in conformance with the standards and practices set forth in 40 CFR Part 312. The following personnel of Berg ♦ Oliver Associates, Inc. were involved in the preparation of this study, as witnessed by the signatures below.



Chris Thayer  
Senior Associate



Ben Price, PG  
Vice President

If there are any questions regarding this report, or any of the information, conclusions, or recommendations contained herein, they may be addressed to either of us at the following location:

Berg ♦ Oliver Associates, Inc.  
14701 St. Mary's Lane, Suite 400  
Houston, Texas 77079  
281-589-0898

## 9.0 REFERENCES

American Society for Testing and Materials (ASTM). *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. Designation E1527-13. West Conshohocken, Pennsylvania: ASTM, 2013.

Environmental Risk Information Services (ERIS), Chain-Of-Title Report, report #22110400690-COT1, dated 11/14/2022.

Banks Environmental Data, Inc., Regulatory Database Report, report #141037, dated 11/07/2022.

Banks Environmental Data, Inc., Historical Fire Insurance Map Research report #141037, dated 11/07/2022.

Banks Environmental Data, Inc., Historical Topographic Map Research report #141037, dated 11/07/2022.

Environmental Risk Information Services (ERIS), City Directory report #22110400690, dated 11/07/2022.

Federal Emergency Management Association (FEMA) (Firmette #48201C0945M, January 6, 2017). [National Flood Hazard Layer \(NFHL\) Viewer \(arcgis.com\)](https://arcgis.com)

Open Street Map, Location Map, Harris County, Texas

Nearmap Imagery, Nearmap US, Inc. Nearmap Vertical™ digital orthographic photograph. <https://go.nearmap.com>

TelALL Corporation, Historic Aerial Photo Search report #BERG9267, dated 11/07/2022.

Texan Title Insurance Company, GF No. FX2200882 (Effective Date: 09/19/2022).

Texas Agricultural Experiment Station Soil Survey of Harris County, Texas (SCS, 1972).

Texas Water Development Board. [Major Aquifers | Texas Water Development Board](#)

Texas Water Development Board. [Minor Aquifers | Texas Water Development Board](#)

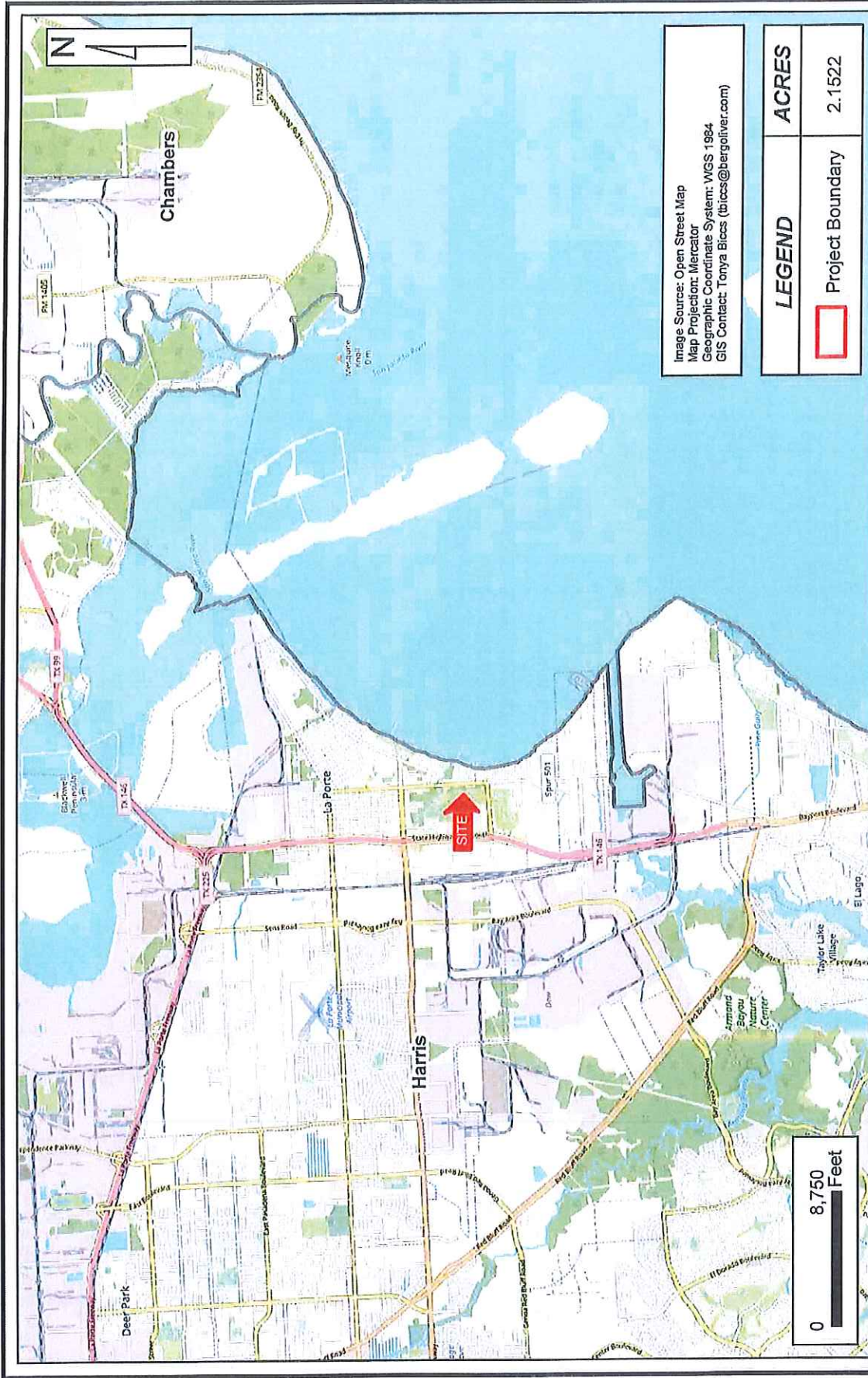
Tobin Research, Inc, oil and gas well map (Survey Map 4S-40E, Wells Posted date 05/14/1999).

United States Department of Agriculture, National Agriculture Imagery Program (NAIP),  
[NAIP Imagery \(usda.gov\)](https://naip.usda.gov/)


United States Department of Agriculture (USDA), Natural Resources Soil Conservation  
Service (SCS) Web Soil Survey. <https://websoilsurvey.sc.egov.usda.gov/>



## FIGURES



**VICINITY MAP**  
 Figure 1

Project #: 12853H-P1 Client: City of La Porte Location: SW of S.R. Street and South Broadway La Porte, Harris County, Texas	REVISIONS 11/14/2022 by TMB	 <b>BERGOLIVER ASSOCIATES, INC.</b> ENVIRONMENTAL SCIENCE & LAND USE CONSULTANTS 14701 ST. MARY'S LANE, SUITE 400 HOUSTON, TEXAS 77079 PHONE (281)589-0898 <a href="http://www.bergoliver.com">http://www.bergoliver.com</a>
--	--------------------------------	---



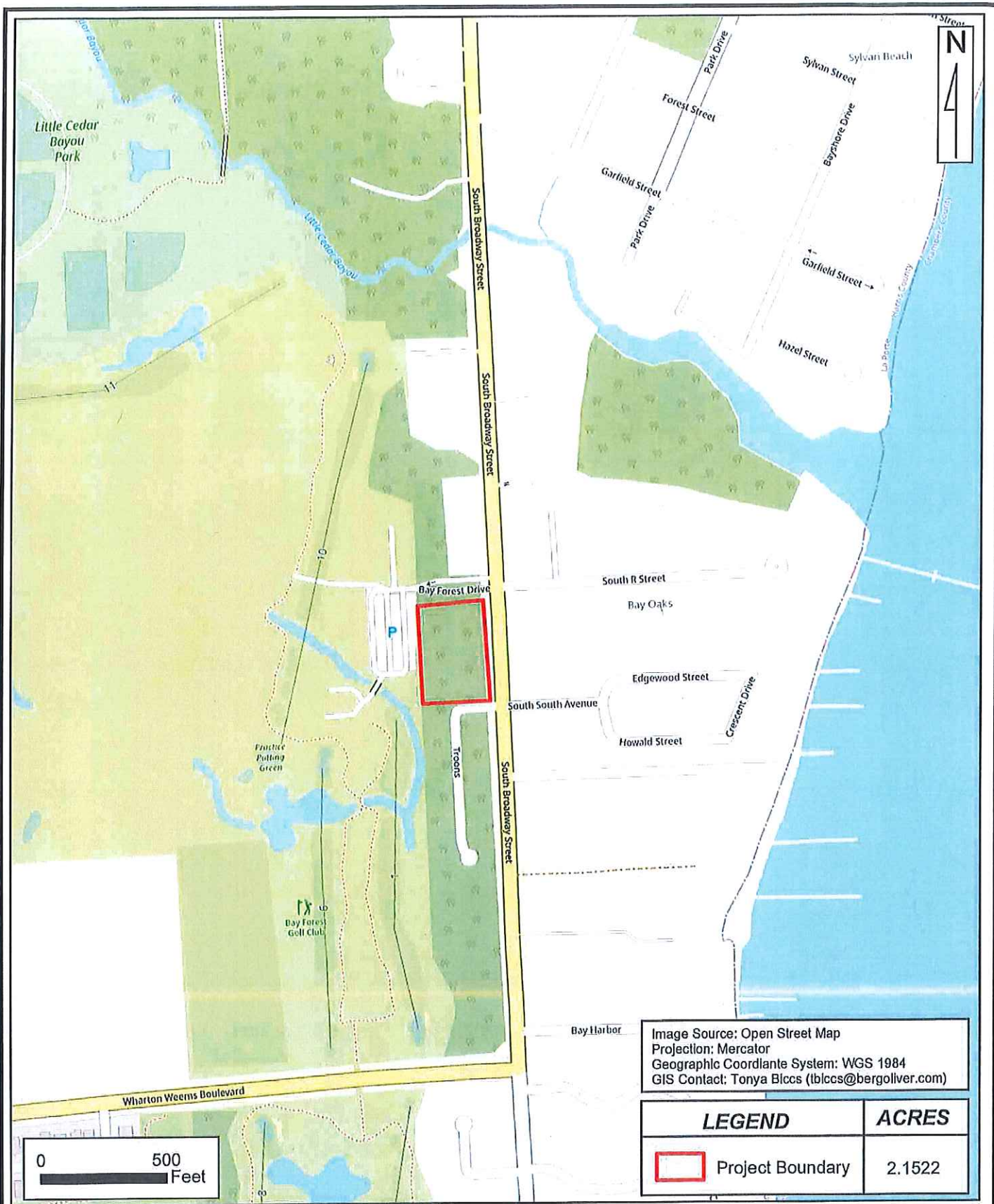



Image Source: Open Street Map  
 Projection: Mercator  
 Geographic Coordinate System: WGS 1984  
 GIS Contact: Tonya Blccs (tblccs@bergoliver.com)

LEGEND	ACRES
 Project Boundary	2.1522

### SITE LOCATION MAP FIGURE 2

Project #: 12853H-P1  
 Client: City of La Porte  
 Location: SW of S.R. Street and South Broadway  
 La Porte, Harris County, Texas

EDITED BY:  
 11/14/2022 by TMB

**BERG ♦ OLIVER ASSOCIATES, INC.**  
 ENVIRONMENTAL SCIENCE & LAND USE CONSULTANTS  
 14701 ST. MARY'S LANE, SUITE 400  
 HOUSTON, TEXAS 77079 PHONE (281)582-9350 <http://www.bergoliver.com>







**APPENDIX A**  
**REGULATORY DATABASE SEARCH**

**Prepared for:**

BERG-OLIVER ASSOCIATES, INC.  
14701 St. Marys Lane, #400  
Houston, TX 77079



# Regulatory Database Report

ASTM E1527-21/AAI Compliant

City of LaPorte

South Broadway

LaPorte, TX

Harris County

PO #: 12853H-P1

ES-141037

Monday, November 7, 2022



## Table of Contents

<b>Geographic Summary</b>	<b>3</b>
<b>Database Summary</b>	<b>4</b>
<b>Maps</b>	
Summary Map - 0.25 Mile Buffer	5
Summary Map - 0.5 Mile Buffer	6
Summary Map - 1 Mile Buffer	7
Topographic Overlay Map - 1 Mile Buffer	8
Current Imagery Overlay Map - 0.5 Mile Buffer	9
<b>Soils Sub-Report</b>	
Soil Survey Map - 0.25 Mile Buffer	10
Soils Details	11
Soils Definitions	13
<b>Water &amp; Oil/Gas Wells Sub-Report</b>	
Water & Oil/Gas Wells Map - 0.25 Mile Buffer	14
Water & Oil/Gas Wells Details	15
<b>Sites Summary</b>	
Mapped Sites Summary	16
Unmapped Sites Summary	17
Zip Code Map - 1 Mile Buffer	18
<b>Sites Details</b>	
Mapped Sites Details	19
Unmapped Sites Details	22
<b>Federal &amp; State Database Definitions and Sources</b>	<b>30</b>
<b>Disclaimer</b>	<b>33</b>

## Geographic Summary



### Location

Harris County, TX

Target location is 0.004 square miles and has a 0.25 mile perimeter

### Coordinates

Longitude &amp; Latitude in Degrees Minutes Seconds NA

Longitude &amp; Latitude in Decimal Degrees NA

X and Y in UTM NA

### Elevation

NA

### Zip Codes Searched

Search Distance	Zip Codes (historical zip codes included)
Target Property	77571
0.25 miles	77571
0.5 miles	77571
1 mile	77571

### Topos Searched

Search Distance	Topo Name
Target Property	La Porte (1983)
0.25 miles	La Porte (1983)
0.5 miles	La Porte (1983)
1 mile	La Porte (1983)

## Database Summary



Databases Searched	Distance Searched	# Mapped	# Not Mapped	Total
<b>Federal - ASTM 1527-21/AAI Required</b>				
National Priority List (NPL)	1	0	0	0
Delisted National Priority List (DNPL)	0.5	0	0	0
SEMS (CER SEMS)	0.5	0	0	0
SEMS NFRAP (CER SEMS NFRAP)	0.5	0	0	0
RCRA CORRACTS (RCRA COR)	1	0	0	0
RCRA non-CORRACTS TSD (RCRA TSD)	0.5	0	0	0
RCRA Generators (RCRA GEN)	0.25	0	0	0
Federal Brownfields (FED BWN)	0.5	0	0	0
Federal Institutional Control (FED IC)	0.5	0	0	0
Federal Engineering Control (FED EC)	0.5	0	0	0
ERNS List (ERNS)	0.25	0	7	7
<b>State - ASTM 1527-21/AAI Required</b>				
State/Tribal Equivalent NPL (ST NPL)	1	0	0	0
State/Tribal Equivalent CERCLIS (ST CER)	0.5	0	0	0
State/Tribal Disposal or Landfill (SWLF)	0.5	0	0	0
State/Tribal Leaking Storage Tank (LPST)	0.5	2	0	2
State/Tribal Storage Tank (PST)	0.25	1	0	1
State/Tribal Institutional Control (ST IC)	0.25	0	0	0
State/Tribal Engineering Control (ST EC)	0.5	0	0	0
State/Tribal Voluntary Cleanup (VCP)	0.5	0	0	0
State/Tribal Brownfield (ST BWN)	0.5	0	0	0
State/Tribal Hazardous Waste (HW)	0.25	0	1	1
<b>Non-ASTM/AAI Required Databases</b>				
RCRA (RCRA)	0.25	0	0	0
Dry Cleaners (DRYC)	0.25	0	0	0
State/Tribal Municipal Settings Designation (MS)	0.25	0	0	0
<b>Total Sites Found</b>		<b>3</b>	<b>8</b>	<b>11</b>



## Summary Map - 0.25 Mile Buffer



## City of LaPorte

- |             |              |             |                               |                 |
|-------------|--------------|-------------|-------------------------------|-----------------|
| Single Site | Cluster Site | Large Tract | Cluster Site with Large Tract | Target Property |
| Single Site | Cluster Site | Large Tract | Cluster Site with Large Tract | Search Buffer   |
| Single Site | Cluster Site | Large Tract | Cluster Site with Large Tract |                 |
- RCRA COR, RCRA TSD, CER, LPST, NPL, ST NPL, SWLF  
RCRA GEN, ST & FED BWN, ST & FED EC, ST & FED IC, DNPL, CER NFRAP, PST, VCP, ST CER  
ERNS, HW, RCRA, DRYC

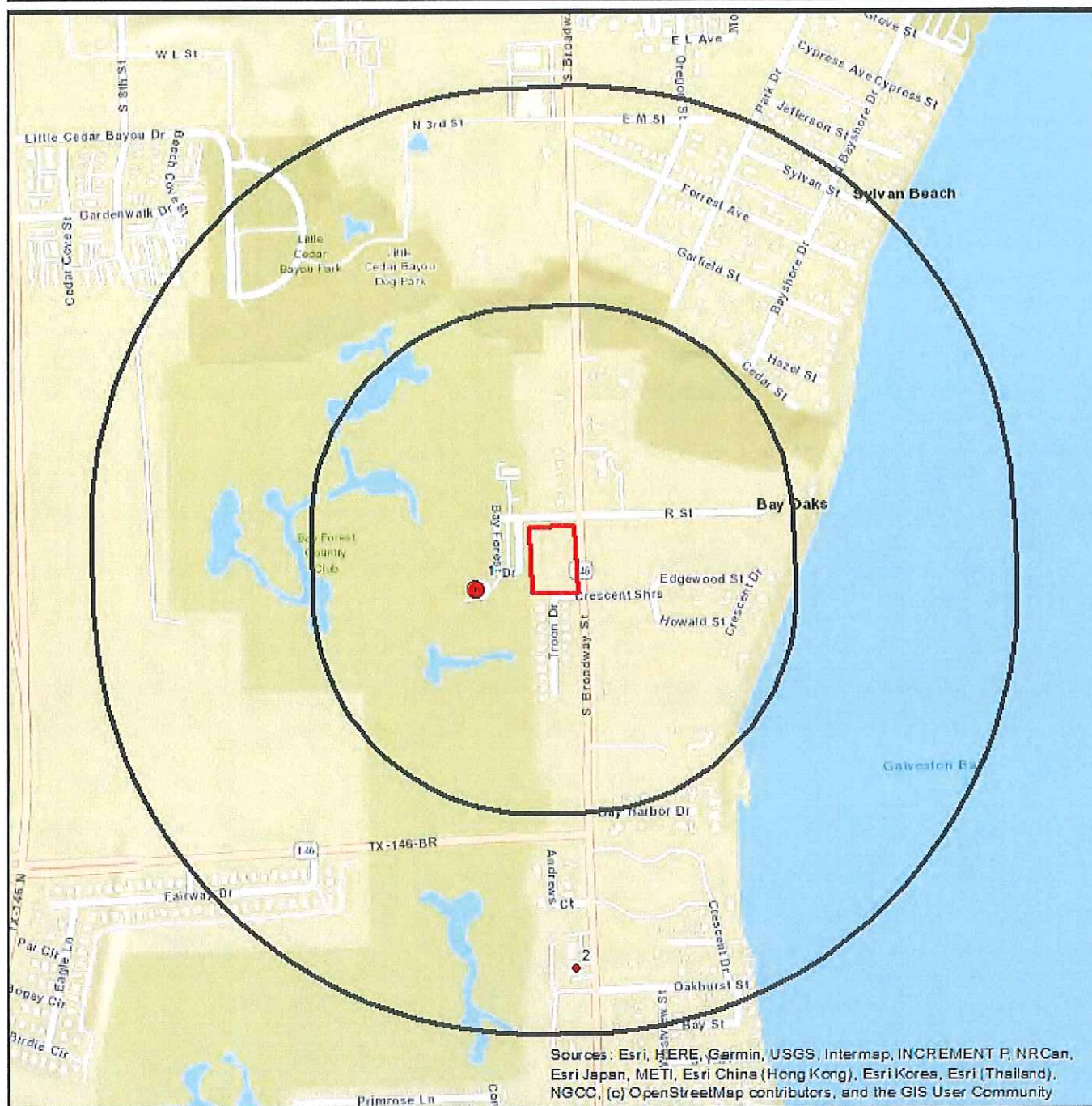
1 : 6,000  
1 inch = 0.095 miles  
1 inch = 500 feet  
1 centimeter = 0.060 kilometers  
1 centimeter = 60 meters

Lambert Conformal Conic Projection  
1983 North American Datum  
First Standard Parallel: 33° 00' North  
Second Standard Parallel: 45° 00' North  
Central Meridian: 95° 00' West  
Latitude of Origin: 39° 00' North





## Summary Map - 0.5 Mile Buffer



## City of LaPorte

- |               |                |               |                                 |
|---------------|----------------|---------------|---------------------------------|
| ● Single Site | ● Cluster Site | ■ Large Tract | ■ Cluster Site with Large Tract |
| ● Single Site | ● Cluster Site | ■ Large Tract | ■ Cluster Site with Large Tract |
| ● Single Site | ● Cluster Site | ■ Large Tract | ■ Cluster Site with Large Tract |
- RCRA COR, RCRA TSD, CER, LPST, NPL, ST NPL, SWLF  
RCRA GEN, ST & FED BWN, ST & FED EC, ST & FED IC, DNPL, CER NFRAP, PST, VCP, ST CER  
ERNS, HW, RCRA, DRYC

- Target Property
- Search Buffer

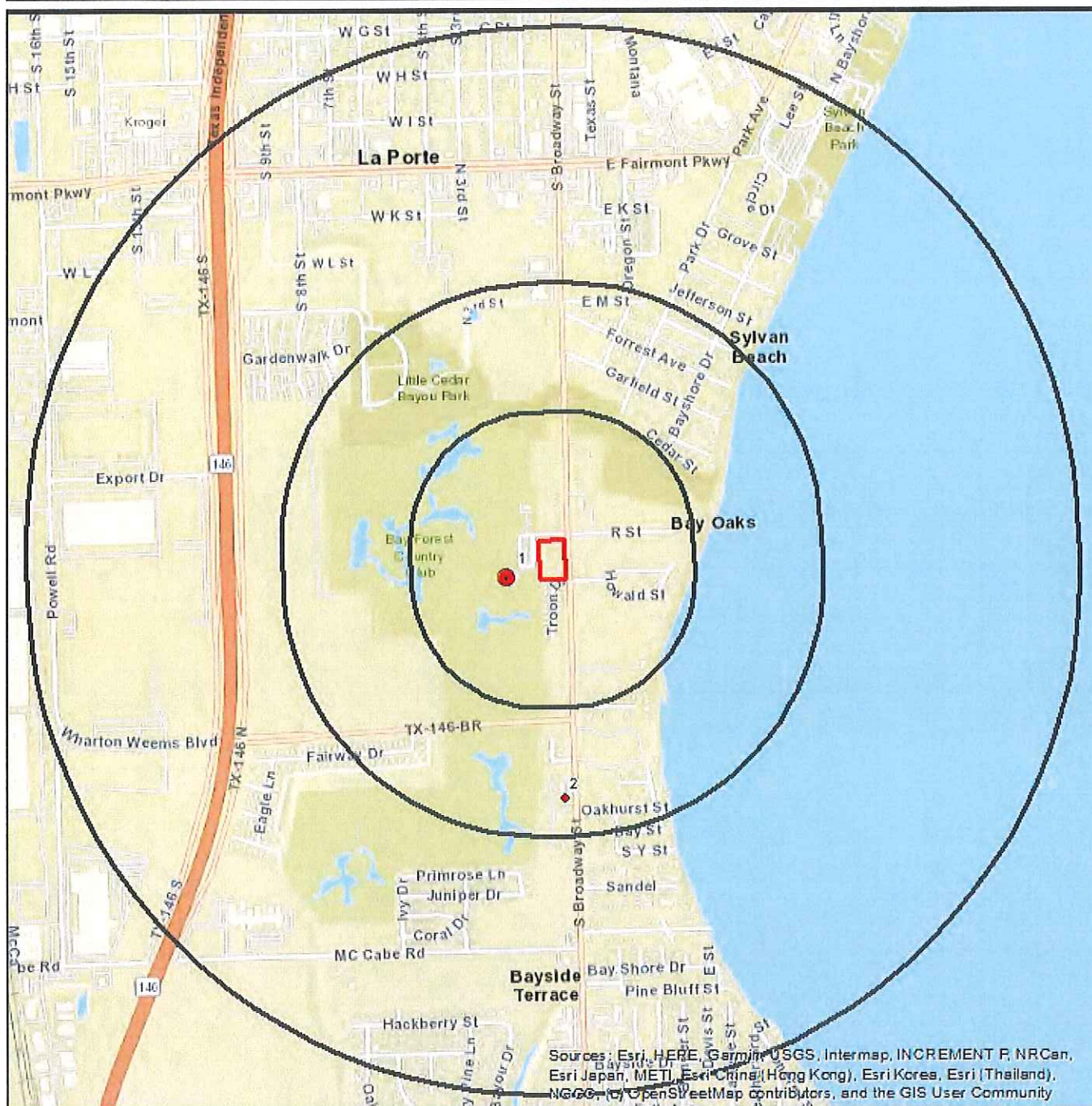
1 : 10,500  
1 inch = 0.166 miles  
1 inch = 875 feet  
1 centimeter = 0.105 kilometers  
1 centimeter = 105 meters

Lambert Conformal Conic Projection  
1983 North American Datum  
First Standard Parallel: 33° 00' North  
Second Standard Parallel: 45° 00' North  
Central Meridian: 96° 00' West  
Latitude of Origin: 39° 00' North





## Summary Map - 1 Mile Buffer



## City of LaPorte

- |  |   |  |  |   |
|--|---|--|--|---|
| <span style="color: red;">●</span> Single Site   | <span style="color: red;">●</span> Cluster Site   | <span style="color: red;">■</span> Large Tract   | <span style="color: red;">■</span> Cluster Site with Large Tract   | <span style="border: 1px solid red; padding: 2px;"> </span> Target Property |
| <span style="color: blue;">●</span> Single Site  | <span style="color: blue;">●</span> Cluster Site  | <span style="color: blue;">■</span> Large Tract  | <span style="color: blue;">■</span> Cluster Site with Large Tract  | <span style="border: 1px solid blue; padding: 2px;"> </span> Search Buffer  |
| <span style="color: green;">●</span> Single Site | <span style="color: green;">●</span> Cluster Site | <span style="color: green;">■</span> Large Tract | <span style="color: green;">■</span> Cluster Site with Large Tract |   |
- RCRA COR, RCRA TSD, CER, LPST, NPL, ST NPL, SWLF  
RCRA GEN, ST & FED BWN, ST & FED EC, ST & FED IC, DNPL, CER NFRAP, PST, VCP, ST CER  
ERNS, HW, RCRA, DRYC

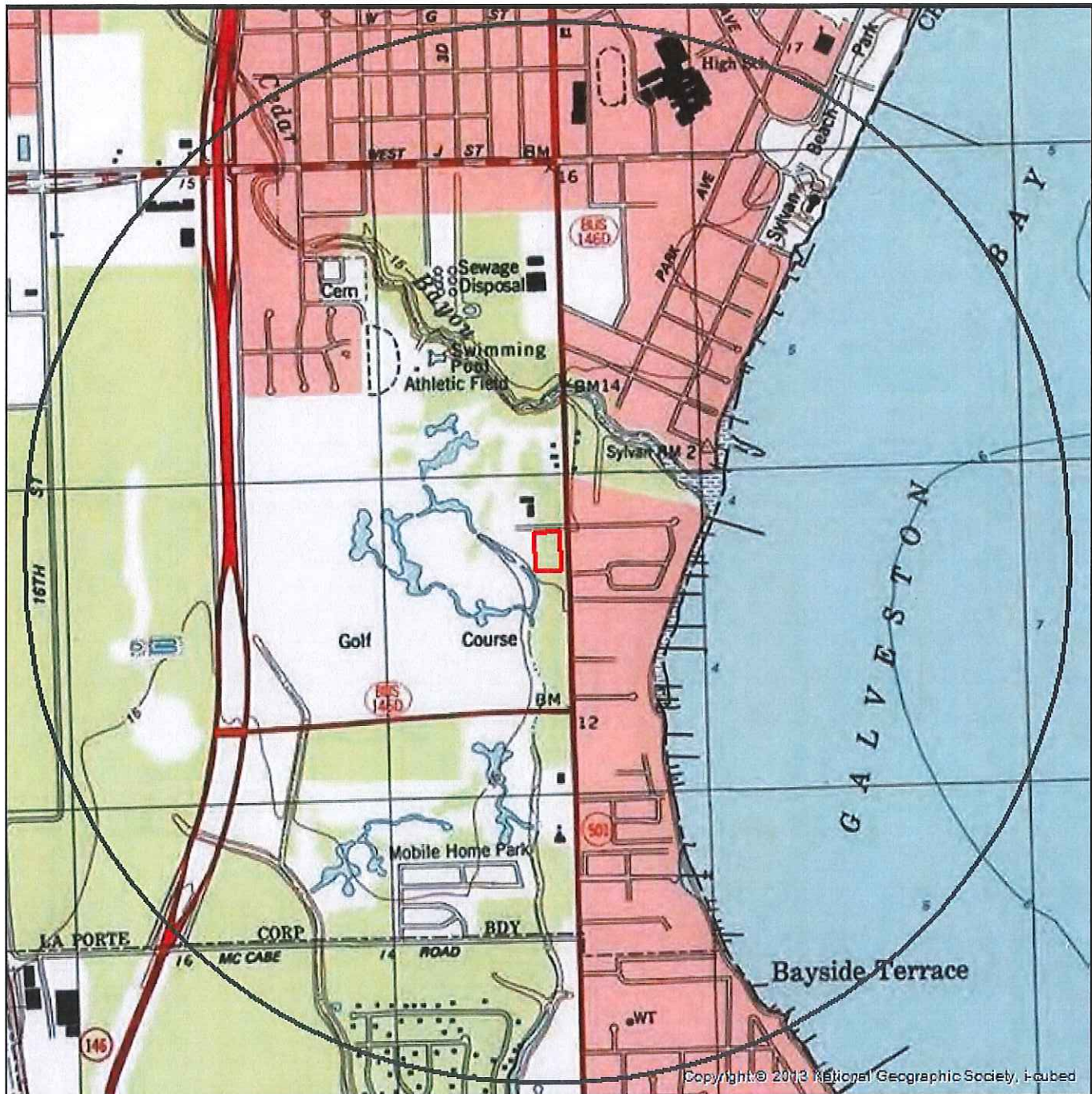
1 : 18,000  
1 inch = 0.284 miles  
1 inch = 1500 feet  
1 centimeter = 0.180 kilometers  
1 centimeter = 180 meters

Lambert Conformal Conic Projection  
1983 North American Datum  
First Standard Parallel: 33° 00' 00" North  
Second Standard Parallel: 45° 00' 00" North  
Central Meridian: 96° 00' 00" West  
Latitude of Origin: 39° 00' 00" North





# Topographic Overlay Map - 1 Mile Buffer



## City of LaPorte

- Target Property
- Search Buffer

Target Property Quad Name(s)  
La Porte (1983)

1 : 18,000  
1 inch = 0.284 miles  
1 inch = 1500 feet

Lambert Conformal Conic Projection  
1983 North American Datum  
First Standard Parallel: 33° 00' North  
Second Standard Parallel: 45° 00' North  
Central Meridian: 96° 00' West  
Latitude of Origin: 39° 00' North





## Current Imagery Overlay Map - 0.5 Mile Buffer



Sources: Esri, DeLorme, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## City of LaPorte

- |               |                |               |                                 |                   |
|---------------|----------------|---------------|---------------------------------|-------------------|
| ● Single Site | ● Cluster Site | ■ Large Tract | ■ Cluster Site with Large Tract | □ Target Property |
| ● Single Site | ● Cluster Site | ■ Large Tract | ■ Cluster Site with Large Tract | □ Search Buffer   |
| ● Single Site | ● Cluster Site | ■ Large Tract | ■ Cluster Site with Large Tract |                   |
- RCRA COR, RCRA TSD, CER, LPST, NPL, ST NPL, SWLF  
 RCRA GEN, ST & FED BWN, ST & FED EC, ST & FED IC, DNPL, CER NFRAP, PST, VCP, ST CER  
 ERNS, HW, RCRA, DRYC

1 : 10,500  
 1 inch = 0.166 miles  
 1 inch = 875 feet  
 1 centimeter = 0.105 kilometers  
 1 centimeter = 105 meters

Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' 00" North  
 Second Standard Parallel: 45° 00' 00" North  
 Central Meridian: 96° 00' 00" West  
 Latitude of Origin: 39° 00' 00" North





## Soil Survey Map - 0.25 Mile Buffer



## City of LaPorte

- |   |              |             |                               |                 |
|---|--------------|-------------|-------------------------------|-----------------|
| Single Site   | Cluster Site | Large Tract | Cluster Site with Large Tract | Target Property |
| RCRA COR, RCRA TSD, CER, LPST, NPL, ST NPL, SWLF                                    |              |             |                               | Search Buffer   |
| Single Site   | Cluster Site | Large Tract | Cluster Site with Large Tract | Soils Boundary  |
| RCRA GEN, ST & FED BWN, ST & FED EC, ST & FED IC, DNPL, CER NFRAP, PST, VCP, ST CER |              |             |                               |                 |
| Single Site   | Cluster Site | Large Tract | Cluster Site with Large Tract |                 |
| ERNS, HW, RCRA, DRYC  |              |             |                               |                 |

1 : 6,000  
 1 inch = 0.095 miles  
 1 inch = 500 feet  
 1 centimeter = 0.060 kilometers  
 1 centimeter = 60 meters

Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' North  
 Second Standard Parallel: 45° 00' North  
 Central Meridian: 98° 00' West  
 Latitude of Origin: 39° 00' North





**Soils****Soils Types Found****Target Property**

BecA, BeaA

**Within 0.25 miles of Target Property**

W, BecA, BeaA, DylC, VamA, DylC

**Soil Type Descriptions****BeaA - Beaumont clay, 0 to 1 percent slopes****Percent Hydric**

85

**Minimum Depth to Bedrock****Beaumont (85 percent)****Hydrologic Group**

High runoff potential

**Soil Drainage Class**

Poorly drained

**Corrosion Potential - Uncoated Steel**

High

**Depth to Restrictive Feature**

Horizon	Soil Texture	Upper Boundary	Lower Boundary	AASHTO	Unified
A	Clay	0 cm	13 cm	A-7-6	CH
Bssg	Clay	48 cm	203 cm	A-7-6	CH
Bw	Clay	13 cm	48 cm	A-7-6	CH

**League (10 percent)****Hydrologic Group****Soil Drainage Class**

Somewhat poorly drained

**Corrosion Potential - Uncoated Steel****Depth to Restrictive Feature****Viterbo (5 percent)****Hydrologic Group****Soil Drainage Class**

Somewhat poorly drained

**Corrosion Potential - Uncoated Steel****Depth to Restrictive Feature****BecA - Beaumont-Urban land complex, 0 to 1 percent slopes****Percent Hydric**

65

**Minimum Depth to Bedrock****Beaumont (65 percent)****Hydrologic Group**

High runoff potential

**Soil Drainage Class**

Poorly drained

**Corrosion Potential - Uncoated Steel**

High

**Depth to Restrictive Feature**

Horizon	Soil Texture	Upper Boundary	Lower Boundary	AASHTO	Unified
A	Clay	0 cm	13 cm	A-7-6	CH
Bssg	Clay	48 cm	203 cm	A-7-6	CH
Bw	Clay	13 cm	48 cm	A-7-6	CH

**Urban land (35 percent)****Hydrologic Group**

High runoff potential

**Soil Drainage Class****Corrosion Potential - Uncoated Steel****Depth to Restrictive Feature**

Horizon	Soil Texture	Upper Boundary	Lower Boundary	AASHTO	Unified
M	Variable	0 cm	102 cm		

**DylC - Dylan clay, 3 to 5 percent slopes****Percent Hydric**

0

**Minimum Depth to Bedrock**

## Soils

## Dylan (90 percent)

Hydrologic Group	High runoff potential
Soil Drainage Class	Moderately well drained
Corrosion Potential - Uncoated Steel	High
Depth to Restrictive Feature	

Horizon	Soil Texture	Upper Boundary	Lower Boundary	AASHTO	Unified
A	Clay	0 cm	10 cm	A-7-6	CH
Bkss	Clay	41 cm	203 cm	A-7-6	CH
Bss	Clay	36 cm	41 cm	A-7-6	CH
Bw	Clay	10 cm	36 cm	A-7-6	CH

## Vamont (9 percent)

Hydrologic Group	
Soil Drainage Class	Somewhat poorly drained
Corrosion Potential - Uncoated Steel	
Depth to Restrictive Feature	

## Buna (1 percent)

Hydrologic Group	
Soil Drainage Class	Well drained
Corrosion Potential - Uncoated Steel	
Depth to Restrictive Feature	

## VamA - Vamont clay, 0 to 1 percent slopes

Percent Hydric	10
Minimum Depth to Bedrock	

## Vamont (90 percent)

Hydrologic Group	Moderately high runoff potential when drained and high runoff potential undrained
Soil Drainage Class	Somewhat poorly drained
Corrosion Potential - Uncoated Steel	High
Depth to Restrictive Feature	

Horizon	Soil Texture	Upper Boundary	Lower Boundary	AASHTO	Unified
A	Clay	0 cm	13 cm	A-7-5, A-7-6	CH
Bss1	Clay	48 cm	168 cm	A-7-6	CH
Bss2	Clay	168 cm	203 cm	A-7-5, A-7-6	CH
Bw	Clay	13 cm	48 cm	A-7-6	CH

## Bevil (10 percent)

Hydrologic Group	
Soil Drainage Class	Poorly drained
Corrosion Potential - Uncoated Steel	
Depth to Restrictive Feature	

## W - Water greater than 40 acres in size

Percent Hydric	0
Minimum Depth to Bedrock	

## Water (100 percent)

Hydrologic Group	High runoff potential
Soil Drainage Class	
Corrosion Potential - Uncoated Steel	
Depth to Restrictive Feature	



## Soils Descriptions



### AASHTO Classification Definitions

A-1, A-1-a, A-1-b	Granular materials (35% or less passing No. 200 sieve), some fragments, gravel and sand
A-2, A-2-4, A-2-5, A-2-6, A-2-7	Granular materials (35% or less passing No. 200 sieve), silty or clayey gravel and sand
A-3	Granular materials (35% or less passing No. 200 sieve), fine sand
A-4	Silt-Clay materials (more than 35% passing No. 200 sieve), silty soils
A-5	Silt-Clay materials (more than 35% passing No. 200 sieve), silty soils
A-6	Silt-Clay materials (more than 35% passing No. 200 sieve), clayey soils
A-7, A-7-5, A-7-6	Silt-Clay materials (more than 35% passing No. 200 sieve), clayey soils
A-8	Silt-Clay materials (more than 35% passing No. 200 sieve), clayey soils

### Unified Classification Definitions

CH	Fine-grained soils, silts and clays (liquid limit is 50% or more), Fat Clay
CL, CL-A (proposed), CL-K (proposed), CL-ML, CL-O (proposed), CL-T (proposed)	Fine-grained soils, silts and clays (liquid limit is less than 50%), Lean Clay
GC, GC-GM	Coarse-grained soils, Gravels, gravel with fines, Clayey Gravel
GM	Coarse-grained soils, Gravels, gravel with fines, Silty Gravel
GP, GP-GC, GP-GM	Coarse-grained soils, Gravels, clean gravels, Poorly Graded Gravel
GW, GW-GC, GW-GM	Coarse-grained soils, Gravels, clean gravels, Well-Graded Gravel
MH, MH-A, MH-K, MH-O, MH-T	Fine-grained soils, silts and clays (liquid limit is 50% or more), Elastic Silt
ML, ML-A (proposed), ML-K (proposed), ML-O (proposed), ML-T (proposed)	Fine-grained soils, silts and clays (liquid limit is less than 50%), Silt
OH, OH-T (proposed)	Fine-grained soils, silts and clays (liquid limit is 50% or more), Organic Clay or Organic Silt
OL	Fine-grained soils, silts and clays (liquid limit is less than 50%), Organic Clay or Organic Silt
PT	Highly organic soils, Peat
SC, SC-SM	Coarse-grained soils, Sands, sands with fines, Clayey Sand
SM	Coarse-grained soils, Sands, sands with fines, Silty Sand
SP, SP-SC, SP-SM	Coarse-grained soils, Sands, clean sands, Poorly Graded Sand
SW, SW-SC, SW-SM	Coarse-grained soils, Sands, clean sands, Well-Graded Sand

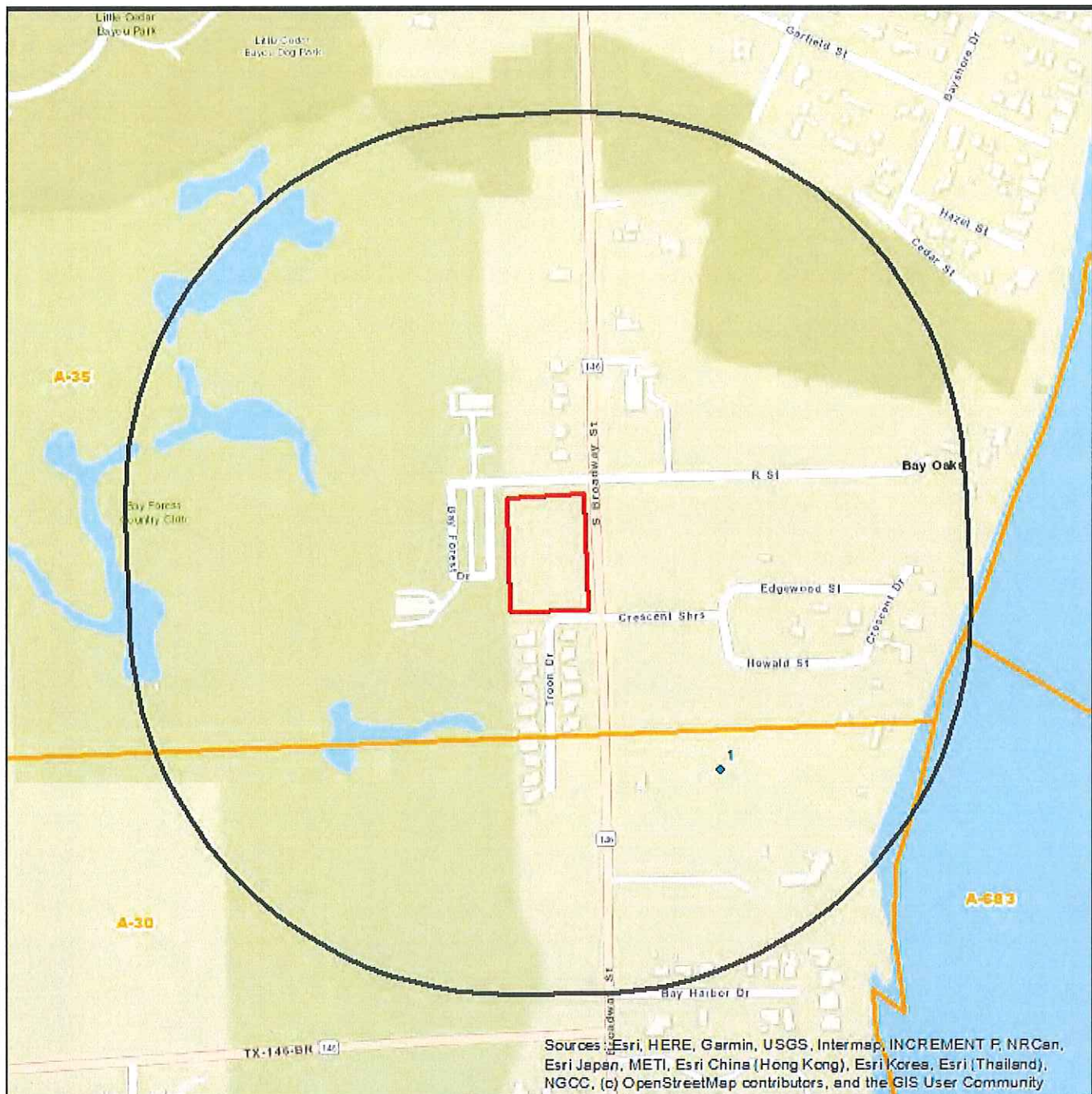
### Source

Natural Resources Conservation Service, Soil Survey Geographic (SSURGO) Database.

### Disclaimer

This Soils Survey from Banks Environmental Data, Inc. has searched Natural Resources Conservation Service (NRCS) and the Soil Survey Geographic Database (SSURGO). All soil data presented on the map and in the details section are based on information obtained from NRCS. Although Banks performs quality assurance and quality control on all data, inaccuracies of the data and mapped locations could possibly be traced to the source. Banks Environmental Data, Inc. cannot fully guarantee the accuracy of the SSURGO database maintained by NRCS.

# Water & Oil/Gas Wells Map - 0.25 Mile Buffer



## City of LaPorte

- Single Water Well
- Water Well Cluster
- Single Oil/Gas/Other Well
- Oil/Gas/Other Well Cluster
- Water/Oil/Gas/Other Well Cluster

- Target Property
- Search Buffer
- Texas Land Survey

1 : 6,000  
 1 inch = 0.095 miles  
 1 inch = 500 feet  
 1 centimeter = 0.060 kilometers  
 1 centimeter = 60 meters

Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' 00" North  
 Second Standard Parallel: 45° 00' 00" North  
 Central Meridian: 96° 00' 00" West  
 Latitude of Origin: 39° 00' 00" North





## Water &amp; Oil/Gas Wells



Map ID	Well ID	Owner	Well Type	Elevation
1	HGSD2255	GORDON, HELEN	Water: Public Supply	12 ft

## Source

U.S. Geological Survey, Texas Water Development Board (GW and Submitted Driller's Report), Texas Commission of Environmental Quality (PWS), Railroad Commission of Texas (Production Data)

## Disclaimer

This well scan from Banks Environmental Data, Inc. has included a digital search of state and federal wells currently digitized in our geospatial database. Since this scan includes only well data that is currently mapped in our geospatial database, more wells could exist within the search area. For a complete well search or to locate more details, please contact Banks to obtain a full Water Well Report or Oil & Gas Well/Pipeline Search Report. More detailed individual well records can also be obtained from Banks for an additional cost, please reference a Well ID # from this well scan.

All well locations are based on information obtained from state and federal sources. Although Banks performs quality assurance and quality control on all data, inaccuracies of the records and mapped locations could possibly be traced to the specific regulatory authority or individual well driller. Banks Environmental Data, Inc. cannot fully guarantee the accuracy of the data or well location(s) of the maps and records maintained by the state and federal agencies.

## Mapped Sites Summary



Database	Distance from Target Property	Map ID	Facility Site Name	Facility Site Address	Site Details Page #
----------	-------------------------------	--------	--------------------	-----------------------	---------------------

\*Sites are sorted by database tier, database, and distance from the target site.

LPST	0.06 miles W	1	BAY FOREST GOLF COURSE	201 BAY FOREST DR, LA PORTE, TX 77571	19
LPST	0.43 miles S	2	HOWARDS HARDWARE	2426 HIGHWAY 146, LA PORTE, TX 77571	20
PST	0.06 miles W	1	BAY FOREST GOLF COURSE	201 BAY FOREST DR, LA PORTE, TX 77571	21

**End of Mapped Sites Summary Section**



## Unmapped Sites Summary



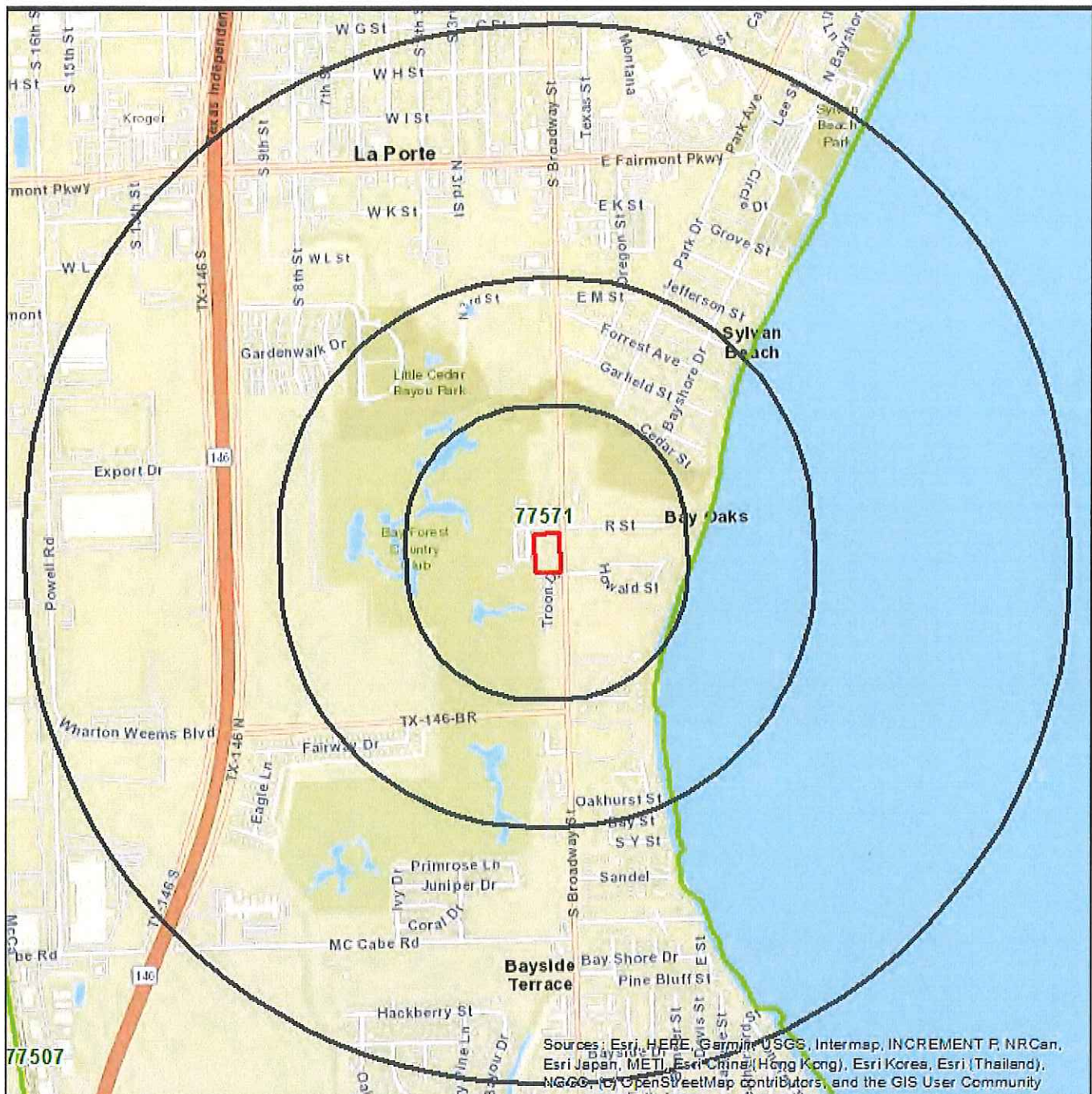
Database	Facility Site Name	Facility Site Address	Site Details Page #
----------	--------------------	-----------------------	---------------------

\*Sites are sorted by database tier and database.

ERNS		BOAT RAMP, LAPORTE, TX	22
ERNS		LAPORTE, TX	23
ERNS		BAY TANK, LAPORTE, TX	24
ERNS		LA PORTE, TX	25
ERNS		SEE LAT/LONG, LA PORTE, TX	26
ERNS		LAPORTE, TX	27
ERNS		BAYPORT TERMINAL CRUISE TERMINAL, LA PORTE, TX	28
HW	AIR NATIONAL GUARD LA PORTE	HARRIS COUNTY NEAR LA PORTE, LA PORTE, TX	29

**End of Unmapped Sites Summary Section**

## Zip Code Map - 1 Mile Buffer



## City of LaPorte

- Target Property
- Search Buffer
- Zip Code Boundary

1 : 18,000  
 1 inch = 0.284 miles  
 1 inch = 1500 feet  
 1 centimeter = 0.180 kilometers  
 1 centimeter = 180 meters

Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' 00" North  
 Second Standard Parallel: 45° 00' 00" North  
 Central Meridian: 100° 00' 00" West  
 Latitude of Origin: 39° 00' 00" North





## MapID 1: LPST - 201 BAY FOREST DR



## LPST - State/Tribal Leaking Storage Tank

Map ID #1	LPST - State/Tribal Leaking Storage Tank	Source: TCEQ
LPST ID: 114833	Facility ID: 0054521	Banks ID: 114833
BAY FOREST GOLF COURSE		Rel. Loc.: 0.06 miles W
201 BAY FOREST DR, LA PORTE, TX 77571		Elevation: 12.5 feet (+12.5)
Additional Location Information:	REGION 12 - HOUSTON	
Status:	6A - FINAL CONCURRENCE ISSUED	
Leak Discovery Date:		
Damage Description:	4.0 - ASSESSMENT INCOMPLETE NO APPARENT RECEPTORS IMPACTED	
Leak Closure Date:	3/18/2005	
State Contact Name:	BSAXENA	

**MapID 2: LPST - 2426 HIGHWAY 146**

<b>Map ID #2</b>	<b>LPST - State/Tribal Leaking Storage Tank</b>	<b>Source: TCEQ</b>
<b>LPST ID: 112705</b>	<b>Facility ID: 0049721</b>	<b>Banks ID: 112705</b>
HOWARDS HARDWARE 2426 HIGHWAY 146, LA PORTE, TX 77571		Rel. Loc.: 0.43 miles S Elevation: 11.16 feet (+11.16)
<b>Additional Location Information:</b>	REGION 12 - HOUSTON	
<b>Status:</b>	6A - FINAL CONCURRENCE ISSUED	
<b>Leak Discovery Date:</b>		
<b>Damage Description:</b>	4.2 - NO GW IMPACT NO APPARENT THREATS OR IMPACTS TO RECEPTORS	
<b>Leak Closure Date:</b>	6/30/1998	
<b>State Contact Name:</b>	HHH	

**End of LPST Sites Section**



**MapID 1: PST - 201 BAY FOREST DR****PST - State/Tribal Storage Tank**

<b>Map ID #1</b>	<b>PST - State/Tribal Storage Tank</b>	<b>Source: TCEQ</b>
<b>Facility #: 54521</b>	<b>TCEQ Customer ID: 59918</b>	<b>Banks ID: 54521</b>
BAY FOREST GOLF COURSE		Rel. Loc.: 0.06 miles W
201 BAY FOREST DR, LA PORTE, TX 77571		Elevation: 12.5 feet (+12.5)
Facility Contact Name:	BUDDY JACOBS	
Facility Contact Phone:	2814719650	
Facility Status:	ACTIVE	
Facility Type:	FLEET REFUELING	
Number of ASTs:	1	
Number of USTs:	0	
Tank #:	#1	
Status:	REMOVED FROM GROUND	
Status Date:	3/4/1999	
Capacity:	1000	
Install Date:	6/1/1990	
Above or Below Ground Tank:	below	
Unit ID:	133361	
Construction Material:	Composite - steel w/external FRP cladding	
Piping Type:		
Piping Material:		
Tank Contents:	GASOLINE	
Corrosion Protection:	Composite Tank - steel w/FRP external laminate, FRP tank or piping - noncorrodible	
Piping Corrosion Protection:	External Dielectric Coating/ Laminate/Tape/Wrap	

**End of PST Sites Section**

## Unmapped Sites Details: ERNS (117112)



## ERNS - ERNS List

## ERNS - ERNS List

Source: EPA/National Response Center

NRC Report #: 117112

Secondary ID: NA

Banks ID: 117112

BOAT RAMP, LAPORTE, TX

## Responsible Party:

## Incident Location:

Incident Date/Time: 5/7/1992 8:15 PM

Cause of Incident: DUMPING

Description of Incident: BOAT RAMP FOAMY SUBSTANCE //CREAMISH BROWN LOOKING//SMELLED BAD

Incident Type: VESSEL

Additional Information: COULDN'T GIVE SHEEN DIMENSIONS BECAUSE IT WAS DARK

Any Fatalities: Unknown

## Number of Fatalities:

Remedial Action Taken: NONE

Medium Affected: WATER

Medium Description: UPPER GALVESTON BAY

## Railroad Involved:

Pipeline Type Involved: UNKNOWN

Source: UNAVAILABLE

Materials Spilled: UNKNOWN OIL



## Unmapped Sites Details: ERNS (484516)



## ERNS - ERNS List

Source: EPA/National Response Center

NRC Report #: 484516

Secondary ID: NA

Banks ID: 484516

LAPORTE, TX

## Responsible Party:

## Incident Location:

Incident Date/Time: 5/20/1999 5:00 PM

Cause of Incident: UNKNOWN

Description of Incident: CALLER STATES:THE CREEK BEHIND NEIGHBORHOOD IS BROWNISH BLACK IN COLORAND ALL THE FISH ARE DEAD

Incident Type: UNKNOWN SHEEN

Additional Information: CALLER STATES:WATER SMELLS OF CHLORINE / NO ADDITIONAL INFORMATION

Any Fatalities: Unknown

## Number of Fatalities:

Remedial Action Taken: NONE

Medium Affected: WATER

Medium Description: UNNAMED CREEK (BAYOU)&gt; GALVESTON BAY

## Railroad Involved:

Pipeline Type Involved: UNKNOWN

Source: UNAVAILABLE

Materials Spilled: UNKNOWN MATERIAL

## Unmapped Sites Details: ERNS (541422)



## ERNS - ERNS List

Source: EPA/National Response Center

NRC Report #: 541422

Secondary ID: NA

Banks ID: 541422

BAY TANK, LAPORTE, TX

Responsible Party:	T/V BOW SKY
Incident Location:	
Incident Date/Time:	9/7/2000 5:30 PM
Cause of Incident:	OTHER
Description of Incident:	A SUBSTANCE WAS DISCOVERED FLOATING IN THE WATER AROUND THE T/V BOW SKY AND IS BELIEVED TO BE NON-OILY BALLAST SLUDGE.
Incident Type:	VESSEL
Additional Information:	EXCEPT FOR THE SHEEN DIMENSIONS, THE MEASUREMENTS IN THIS REPORT ARE METRIC.
Any Fatalities:	No
Number of Fatalities:	
Remedial Action Taken:	CONTRACTOR HIRED: GARNER ENVIRONMENTAL SERVICES
Medium Affected:	WATER
Medium Description:	GALVESTON BAY
Railroad Involved:	
Pipeline Type Involved:	
Source:	UNAVAILABLE
Materials Spilled	BALLAST SLUDGE: NON-OILY

## Unmapped Sites Details: ERNS (634078)



## ERNS - ERNS List

Source: EPA/National Response  
Center

NRC Report #: 634078

Secondary ID: NA

Banks ID: 634078

LA PORTE, TX

## Responsible Party:

Incident Location: UNKNOWN SHEEN INCIDENT

Incident Date/Time: 1/14/2003 1:45 PM

Cause of Incident: UNKNOWN

Description of Incident: CALLER REPORTED AN UNKNOWN OIL SHEEN.

Incident Type: UNKNOWN SHEEN

Additional Information: NO ADDITIONAL INFORMATION.

Any Fatalities: No

## Number of Fatalities:

Remedial Action Taken: NONE.

Medium Affected: WATER

Medium Description: GALVESTON BAY

## Railroad Involved:

## Pipeline Type Involved:

Source: TELEPHONE

Materials Spilled: UNKNOWN OIL



## Unmapped Sites Details: ERNS (996856)



## ERNS - ERNS List

Source: EPA/National Response Center

NRC Report #: 996856

Secondary ID: NA

Banks ID: 996856

SEE LAT/LONG, LA PORTE, TX

## Responsible Party:

Incident Location: UNKNOWN SHEEN INCIDENT

Incident Date/Time: 11/30/2011 5:05 PM

Cause of Incident: UNKNOWN

Description of Incident: CALLER IS REPORTING AN UNKNOWN SHEEN FROM AN UNKNOWN SOURCE.

Incident Type: UNKNOWN SHEEN

Additional Information: NO ADDITIONAL INFORMATION.

Any Fatalities: No

## Number of Fatalities:

Remedial Action Taken: NONE

Medium Affected: WATER

Medium Description: GALVESTON BAY

## Railroad Involved:

## Pipeline Type Involved:

Source: TELEPHONE

Materials Spilled: UNKNOWN OIL

## Unmapped Sites Details: ERNS (1001973)



## ERNS - ERNS List

Source: EPA/National Response Center

NRC Report #: 1001973

Secondary ID: NA

Banks ID: 1001973

LAPORTE, TX

Responsible Party:	JAM
Incident Location:	BAYPORT TERMINAL
Incident Date/Time:	2/2/2012 9:55 AM
Cause of Incident:	OPERATOR ERROR
Description of Incident:	////THIS IS A DRILL//// CALLER IS REPORTING THAT WHILE PUMPING A VEHICLE DRIVER TOOK OFF, HOSE DISCONNECTED AND MATERIAL RELEASED FROM HOSE.////THIS IS A DRILL////
Incident Type:	FIXED
Additional Information:	*****THIS IS A DRILL*****
Any Fatalities:	No
Number of Fatalities:	
Remedial Action Taken:	BOOMS AND PADS BEING APPLIED
Medium Affected:	WATER
Medium Description:	GALVESTON BAY
Railroad Involved:	
Pipeline Type Involved:	
Source:	TELEPHONE
Materials Spilled	OIL, MISC: LUBRICATING

## Unmapped Sites Details: ERNS (1136219)



## ERNS - ERNS List

Source: EPA/National Response Center

NRC Report #: 1136219

Secondary ID: NA

Banks ID: 1136219

BAYPORT TERMINAL CRUISE TERMINAL, LA PORTE, TX

Responsible Party:	INTERGULF
Incident Location:	
Incident Date/Time:	12/19/2015 11:40 AM
Cause of Incident:	EQUIPMENT FAILURE
Description of Incident:	CALLER IS REPORTING A SPILL OF LESS THAN ONE GALLON OF WASTE OIL FROM A BROKEN HOSE DURING A TRANSFER.
Incident Type:	FIXED
Additional Information:	
Any Fatalities:	No
Number of Fatalities:	
Remedial Action Taken:	ABSORBENTS APPLIED AND THE SPILL WAS RECOVERED.
Medium Affected:	WATER
Medium Description:	GALVESTON BAY
Railroad Involved:	
Pipeline Type Involved:	
Source:	TELEPHONE
Materials Spilled	WASTE OIL

End of ERNS Sites Section



## Unmapped Sites Details: HW (T1611)



## HW - State/Tribal Hazardous Waste

HW - State/Tribal Hazardous Waste		Source: TCEQ
ID: T1611	Secondary ID: NA	Banks ID: T1611
AIR NATIONAL GUARD LA PORTE HARRIS COUNTY NEAR LA PORTE, LA PORTE, TX		
Status:	INACTIVE	
Additional State ID:	RN104615406	
Waste Description		

## End of HW Sites Section

## Dataset Descriptions and Sources



Dataset	Source	Dataset Description	Update Schedule	Data Requested	Data Obtained	Data Updated	Source Updated
NPL -- National Priority List	EPA	NPL is the list of high priority hazardous waste sites in the United States eligible for long-term remedial action financed under the federal Superfund program or SEMS database (formerly known as the CERCLIS database). The EPA will only add sites to the NPL list based upon completion of the Hazard Ranking System (HRS) screening, public solicitation of comments about the proposed site, and after all comments have been addressed.	Quarterly	10/12/2022	10/12/2022	10/17/2022	09/28/2022
DNPL -- Delisted National Priority List	EPA	DNPL is a list of all sites that have been deleted from the EPA NPL list (SEMS database). These sites are taken off the NPL list usually due to no further response or remedial action being required on them. Notices to delete NPL sites are published in the Federal Register and become effective unless the EPA receives significant adverse or critical comments during the 30-day public comment period.	Quarterly	10/12/2022	10/12/2022	10/17/2022	09/28/2022
CER SEMS -- SEMS	EPA	The EPA maintains the SEMS database to track sites under the Comprehensive Environmental Response, Compensation, and Liability Act, a federal law designed to clean up abandoned hazardous waste sites. These sites are either proposed, listed or under review currently to be a part of the National Priority List.	Quarterly	10/12/2022	10/12/2022	10/17/2022	09/28/2022
CER SEMS NFRAP -- SEMS NFRAP	EPA	From the Superfund Enterprise Management System (SEMS) database No Further Remedial Action Planned or NFRAP have been removed from the listing. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the site being placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration.	Quarterly	10/12/2022	10/12/2022	10/17/2022	09/28/2022
RCRA COR -- RCRA CORRACTS	EPA	These sites are registered hazardous waste generators or handlers that fall under the Resource Conservation and Recovery Act (RCRA) and subject to corrective action activity.	Quarterly	10/24/2022	10/24/2022	10/25/2022	10/24/2022
RCRA TSD -- RCRA non-CORRACTS TSD	EPA	This database lists all treatment, storage and disposal of hazardous material sites that fall under the Resource Conservation and Recovery Act (RCRA). All hazardous waste TSD facilities are required to notify EPA of their existence.	Quarterly	10/24/2022	10/24/2022	10/25/2022	10/24/2022
RCRA GEN -- RCRA Generators	EPA	The EPA regulates all Hazardous Waste Generators subject to the Resource Conservation and Recovery Act (RCRA). They are classified by the quantity of hazardous waste generated. A Small Quantity Generator (SQG) generates between 100kg and 1,000 kg of waste per month. A Large Quantity Generator (LQG) generates over 1,000 kg of waste per month. A Conditionally Exempt SQG (CEG) generates less than 100 kg of waste per month.	Quarterly	10/24/2022	10/24/2022	10/25/2022	10/24/2022
FED BWN -- Federal Brownfields	EPA	A listing of sites that assist the EPA in collecting, tracking, and updating information of sites in relation to the Small Business Liability Relief and Brownfields Revitalization Act. These sites are real property that is either abandoned or underutilized where redevelopment or expansion is complicated by real or perceived environmental contamination.	Quarterly	09/14/2022	09/14/2022	09/20/2022	09/14/2022
FED IC -- Federal Institutional Control	EPA	This is a listing of Brownfield Management System (BMS) sites that have had Institutional Controls (ICs) placed on them. ICs are administrative restrictions, such as legal controls, that help minimize the potential for human exposure to known contamination by ensuring appropriate land or resource use. ICs are meant to supplement Engineering Controls and will rarely be the sole remedy at a site. ICs are a type of Activity and Use Limitation (AUL).	Quarterly	09/14/2022	09/14/2022	09/20/2022	09/14/2022
FED EC -- Federal Engineering Control	EPA	This is a listing of Brownfield Management System (BMS) sites that have had Engineering Controls (ECs) placed on them. ECs are physical methods or modifications put into place on a site to reduce or eliminate the possibility of human exposure to known contamination. ECs are a type of Activity and Use Limitation (AUL).	Quarterly	09/14/2022	09/14/2022	09/20/2022	09/14/2022



## Dataset Descriptions and Sources



Dataset	Source	Dataset Description	Update Schedule	Data Requested	Data Obtained	Data Updated	Source Updated
ERNS -- ERNS List	EPA/National Response Center	ERNS is a national database used to store information on unauthorized releases of oil and hazardous substances that have been reported to the National Response Center since 2001. The NRC is the sole federal point of contact for reporting oil and chemical spills. Prior to 2001 this information was maintained by the EPA.	Annually	08/02/2022	08/02/2022	08/02/2022	08/02/2022
ST NPL -- State/Tribal Equivalent NPL (TX)	TCEQ	This database contains sites determined by the TCEQ that may constitute an imminent and substantial endangerment to public health and safety or to the environment due to a release or threatened release of hazardous substances into the environment.	Quarterly	08/11/2022	08/11/2022	08/23/2022	08/11/2022
ST CER -- State/Tribal Equivalent CERCLIS (TX)	N/A	This database is not currently available from this state. If this state does make this database available in the future, Banks Environmental Data will obtain it for reporting purposes.	N/A	N/A	N/A	N/A	N/A
SWLF -- State/Tribal Disposal or Landfill (TX)	TCEQ	The SWLF database contains records of municipal solid waste facilities that may accept various types of municipal solid waste for processing or disposal, depending on the type of facility. A Municipal Solid Waste facility may also accept certain special wastes and non-hazardous industrial solid wastes if approved by the TCEQ executive director.	Quarterly	08/15/2022	08/15/2022	08/17/2022	08/12/2022
SWLF -- State/Tribal Disposal or Landfill (TX)	TCEQ	This database is a listing of closed and abandoned municipal solid waste landfills. The sites included are either unauthorized (UNUM_) or permitted (PERMAPP_).	N/A	N/A	N/A	N/A	N/A
LPST -- State/Tribal Leaking Storage Tank (TX)	TCEQ	This database contains information on leaking storage tanks, equipment failures, compliance, and releases in the state.	Quarterly	07/14/2022	07/14/2022	09/22/2022	07/01/2022
LPST -- State/Tribal Leaking Storage Tank (TX)	EPA	The Tribal LUST database (maintained by EPA Region 6) provides information on leaking underground storage tank on tribal lands in Louisiana, Arkansas, Oklahoma, New Mexico and Tribal Nations.	Quarterly	10/03/2022	10/03/2022	10/03/2022	04/28/2022
PST -- State/Tribal Storage Tank (TX)	TCEQ	This database contains information on above and underground storage tanks, compliance, and releases in the state.	Quarterly	08/15/2022	08/15/2022	10/11/2022	08/04/2022
PST -- State/Tribal Storage Tank (TX)	EPA	The Tribal UST database (maintained by EPA Region 6) provides underground storage tank information on tribal lands in Louisiana, Arkansas, Oklahoma, New Mexico and Tribal Nations.	Quarterly	10/03/2022	10/03/2022	10/03/2022	04/28/2022
ST IC -- State/Tribal Institutional Control (TX)	TCEQ	This database includes Voluntary Cleanup Program (VCP) or Innocent Operator Program (IOP) sites that have been remediated and have had Institutional Controls (ICs) placed on them. ICs are administrative restrictions, such as legal controls, that help minimize the potential for human exposure to known contamination by ensuring appropriate land or resource use.	Quarterly	10/25/2022	07/29/2022	11/01/2022	07/29/2022
ST IC -- State/Tribal Institutional Control (TX)	RRC	The Railroad Commission of Texas Voluntary Cleanup Program provides an incentive to remediate Oil & Gas related pollution by participants as long as they did not cause or contribute to the contamination.	Quarterly	10/25/2022	05/30/2022	08/17/2022	05/30/2022
ST EC -- State/Tribal Engineering Control (TX)	TCEQ	This database includes Voluntary Cleanup Program (VCP) or Innocent Operator Program (IOP) sites that have been remediated and have had Engineering Controls (ECs) placed on them. ECs are physical methods or modifications put into place on a site to reduce or eliminate the possibility of human exposure to known contamination.	Quarterly	10/25/2022	07/29/2022	11/01/2022	07/29/2022
VCP -- State/Tribal Voluntary Cleanup (TX)	TCEQ	This database contains sites from the Innocent Operator Program (IOP). The IOP records are sites that have received certificates from the State acknowledging that 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.	Quarterly	10/25/2022	07/29/2022	11/01/2022	07/29/2022



## Dataset Descriptions and Sources



Dataset	Source	Dataset Description	Update Schedule	Data Requested	Data Obtained	Data Updated	Source Updated
VCP -- State/Tribal Voluntary Cleanup (TX)	TCEQ	This database contains sites from the Voluntary Cleanup Program (VCP). The VCP records contain information on contaminated sites that private parties have cleaned up through assistance from the State in the form of administrative, technical, and legal incentives.	Quarterly	10/25/2022	11/01/2022	11/01/2022	11/01/2022
VCP -- State/Tribal Voluntary Cleanup (TX)	RRC	The Railroad Commission of Texas Voluntary Cleanup Program provides an incentive to remediate Oil & Gas related pollution by participants as long as they did not cause or contribute to the contamination.	Quarterly	10/25/2022	08/15/2022	08/17/2022	08/15/2022
ST BWN -- State/Tribal Brownfield (TX)	TCEQ	Brownfield sites are former industrial properties that lie dormant or underutilized due to liability associated with real or perceived contamination. In Texas, the TCEQ, in close partnership with the EPA and other federal, state, and local redevelopment agencies, and stakeholders, is facilitating cleanup, transferability, and revitalization of Brownfield's through the development of regulatory, tax, and technical assistance tools.	Quarterly	08/26/2022	08/26/2022	08/26/2022	08/26/2022
ST BWN -- State/Tribal Brownfield (TX)	RRC	The Railroad Commission of Texas' Voluntary Cleanup Program (RRC-VCP) provides an incentive to remediate Oil & Gas related pollution by participants as long as they did not cause or contribute to the contamination. Applicants to the program receive a release of liability to the state in exchange for a successful cleanup.	Quarterly	10/25/2022	05/30/2022	08/17/2022	05/30/2022
HW -- State/Tribal Hazardous Waste (TX)	TCEQ	The mission of the TCEQ's industrial and hazardous waste (IHW) corrective action program is to oversee the cleanup of sites contaminated from industrial and municipal hazardous and industrial nonhazardous wastes.	Quarterly	10/10/2022	10/18/2022	10/19/2022	10/11/2022
HW -- State/Tribal Hazardous Waste (TX)	TCEQ	This database contains information on facilities which store, process, or dispose of hazardous waste as maintained by the Industrial and Hazardous Waste Permits section of the TCEQ.	Quarterly	08/15/2022	08/15/2022	08/17/2022	08/04/2022
RCRA -- RCRA	EPA	This database lists all sites that fall under the Resource Conservation and Recovery Act (RCRA) and are not classifiable as treatment, storage, disposers of hazardous material, hazardous waste generator or subject to corrective action activity.	Quarterly	10/24/2022	10/24/2022	10/25/2022	10/24/2022
DRYC -- Dry Cleaners (TX)	TCEQ	Dry Cleaner data houses both the DCRP Program information and PERC information released by the TCEQ. The DCRP database contains records funded for state-lead clean up of dry cleaner related contaminated sites. The DCRP administers the Dry Cleaning Facility Release Fund to assist with remediation of contamination caused by dry cleaning solvents. There are two listings from this program: LIST#1 - A historic listing of any facility that registered with the DCRP indicating whether or not the facility has used Perchloroethylene (PERC) in the past. LIST#2 - A Prioritization list of dry cleaner sites. Facilities on this list will be investigated in order to determine the existence and or extent of possible contamination. Facilities which are not current on their DCRP payments get dropped from the program. Banks Environmental Data DOES NOT REMOVE these listings from our database so that we may present a more complete historical listing of facilities that may or may not have used PERC in the past.	Quarterly	09/08/2022	09/19/2022	09/20/2022	09/01/2022
MS -- State/Tribal Municipal Settings Designation (TX)	TCEQ	TCEQ defines a Municipal Settings Designation (MSD) as an official state designation given to a 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.	Quarterly	09/19/2022	09/23/2022	09/28/2022	09/20/2022

**Disclaimer**

The Banks Environmental Data Regulatory Database Report was prepared based upon data obtained from State, Tribal, and Federal sources known to Banks Environmental Data at the time the data was obtained. Great care has been taken by Banks in obtaining the best available data from the best available sources. However, there is a possibility that there are sources of data applicable or pertaining to this report's target property, and/or surrounding properties, to which Banks does not have access or has not accessed. Furthermore, although Banks Environmental Data performs quality assurance and quality control on all data, including data it obtains, Banks recognizes that inaccuracies in data from these sources may, and do, exist; accordingly, inaccurate data may have been used or relied upon in the preparation of this report. Even though Banks Environmental Data performs a thorough and diligent search to locate and fix any inaccuracies in the data relied upon in the preparation of this report, Banks cannot guarantee or warrant the accuracy of the locations, information, data, or report. The purchaser of this report accepts this report "as is" and assumes all risk related to any potential in accuracy contained in the report or not reported in it, whether due to a reliance by Banks Environmental Data on inaccurate data, or for any other reason [including but not limited to the negligence or express negligence of Banks Environmental Data]. If this report is being used for the Records Review section of a Phase I Site Assessment according to the ASTM 1527-21, for EPA's All Appropriate Inquiry, or for any other purpose (public or private), all liability and responsibility is assumed by the Environmental Professional or other individual or entity acquiring the report.

**APPENDIX B**  
**PHYSICAL SETTING INFORMATION**



**Prepared for:**

BERG-OLIVER ASSOCIATES, INC.  
14701 St. Marys Lane, #400  
Houston, TX 77079



# Historical Topographic Maps

City of LaPorte

South Broadway

Laporte, TX

Harris County

PO #: 12853H-P1

ES-141037

Monday, November 7, 2022



Date: 2022  
 Quad: La Porte, TX

0 1,000 2,000 4,000 Feet

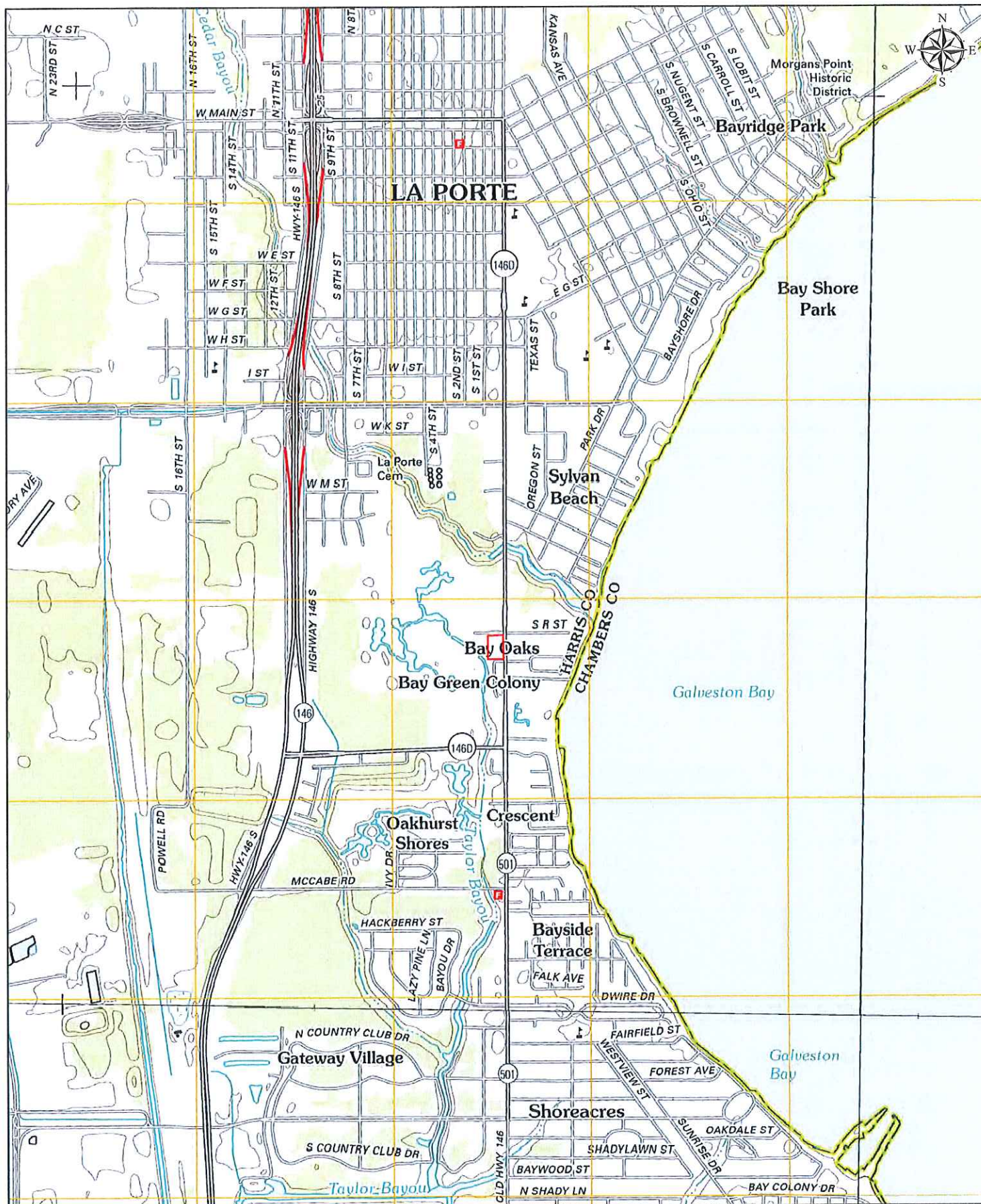








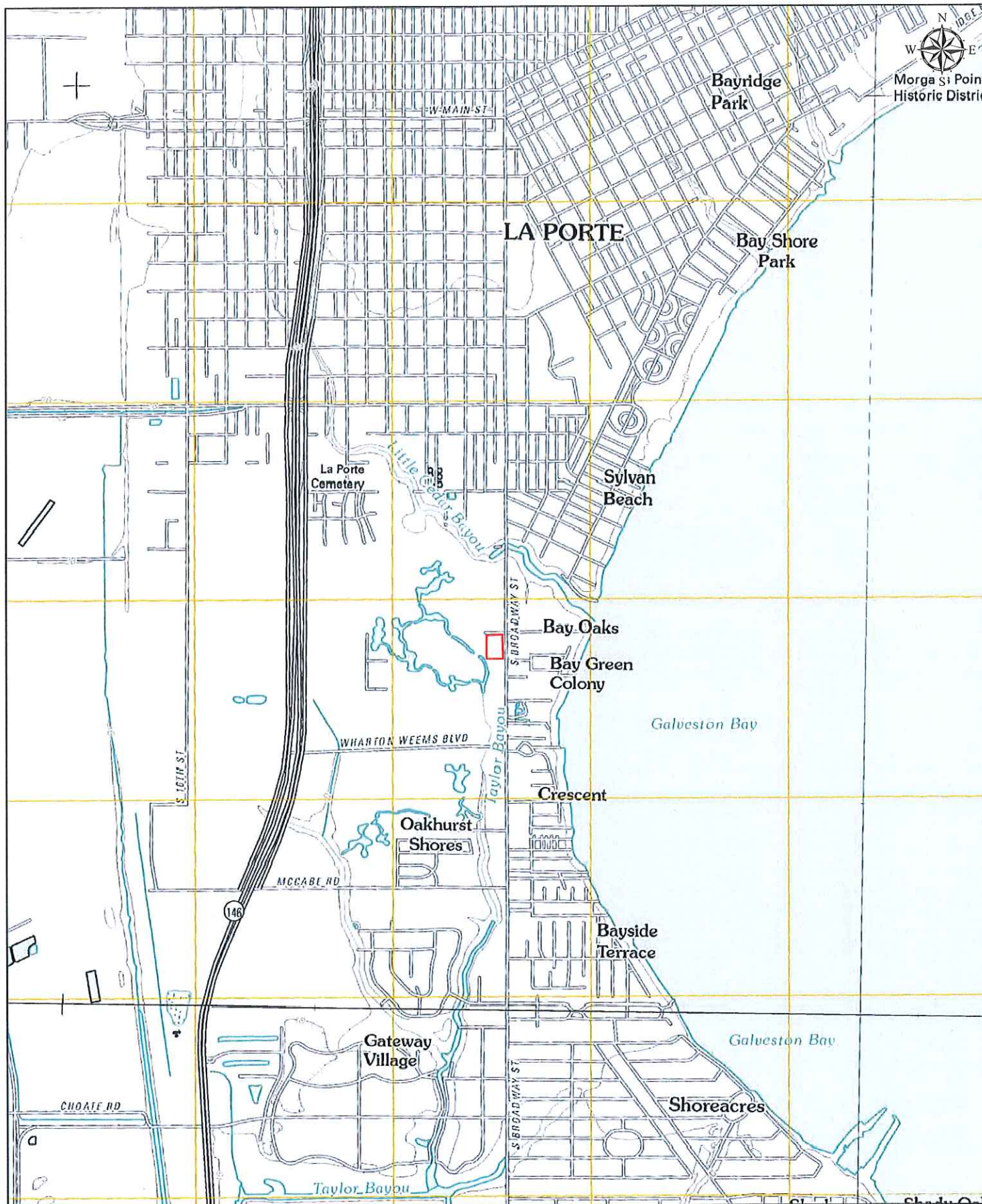




Date: 2013  
 Quad: La Porte, TX

0 1,000 2,000 4,000 Feet





Date: 2010  
Quad: La Porte, TX

0 1,000 2,000 4,000 Feet

**BANKS**  
ENVIRONMENTAL DATA  
A DIVISION OF THE BANKS GROUP

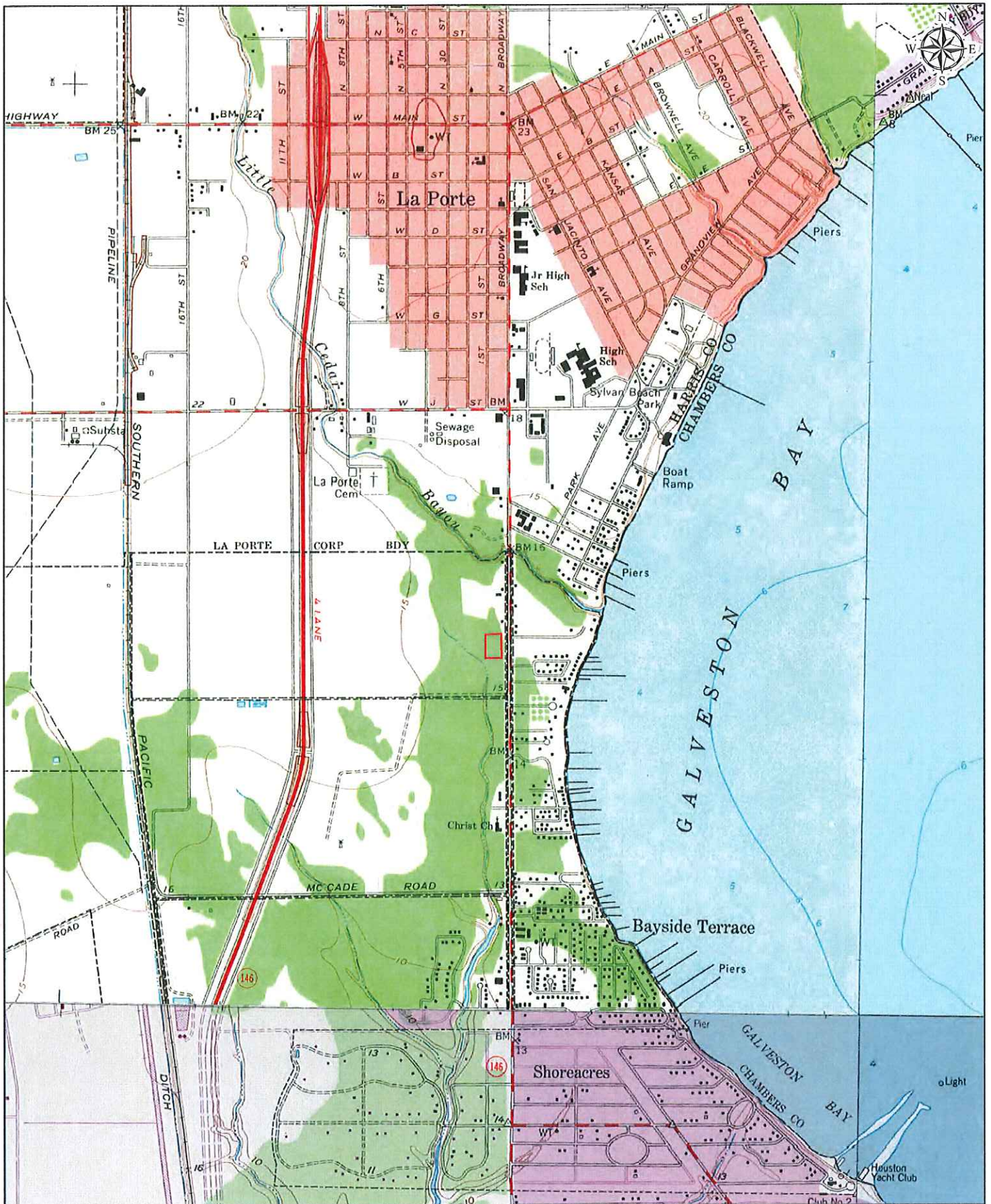










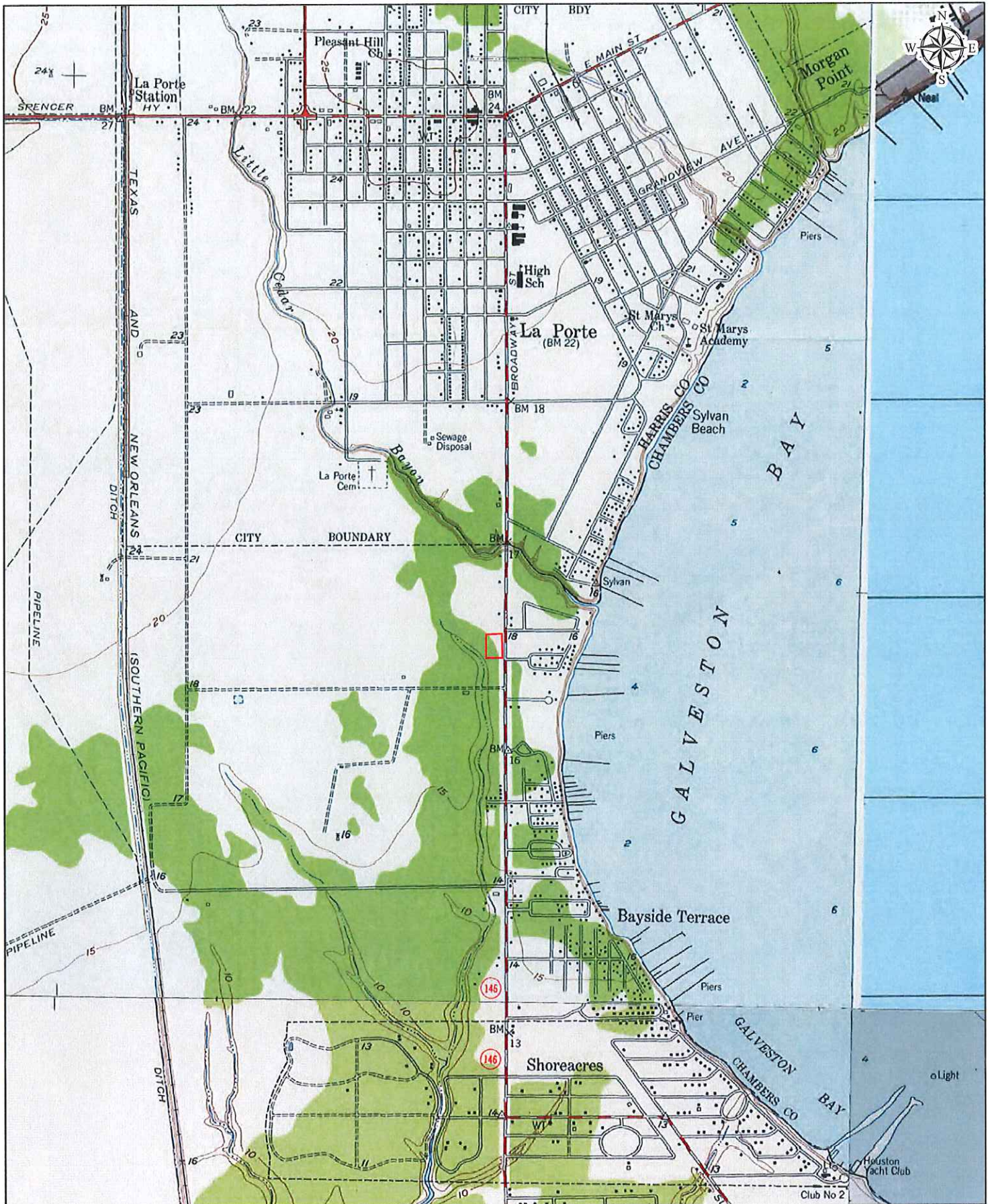


Date: 1967  
 Quad: La Porte, TX

0 1,000 2,000 4,000 Feet

**BANKS**  
 ENVIRONMENTAL DATA  
 A DIVISION OF THE BANKS GROUP



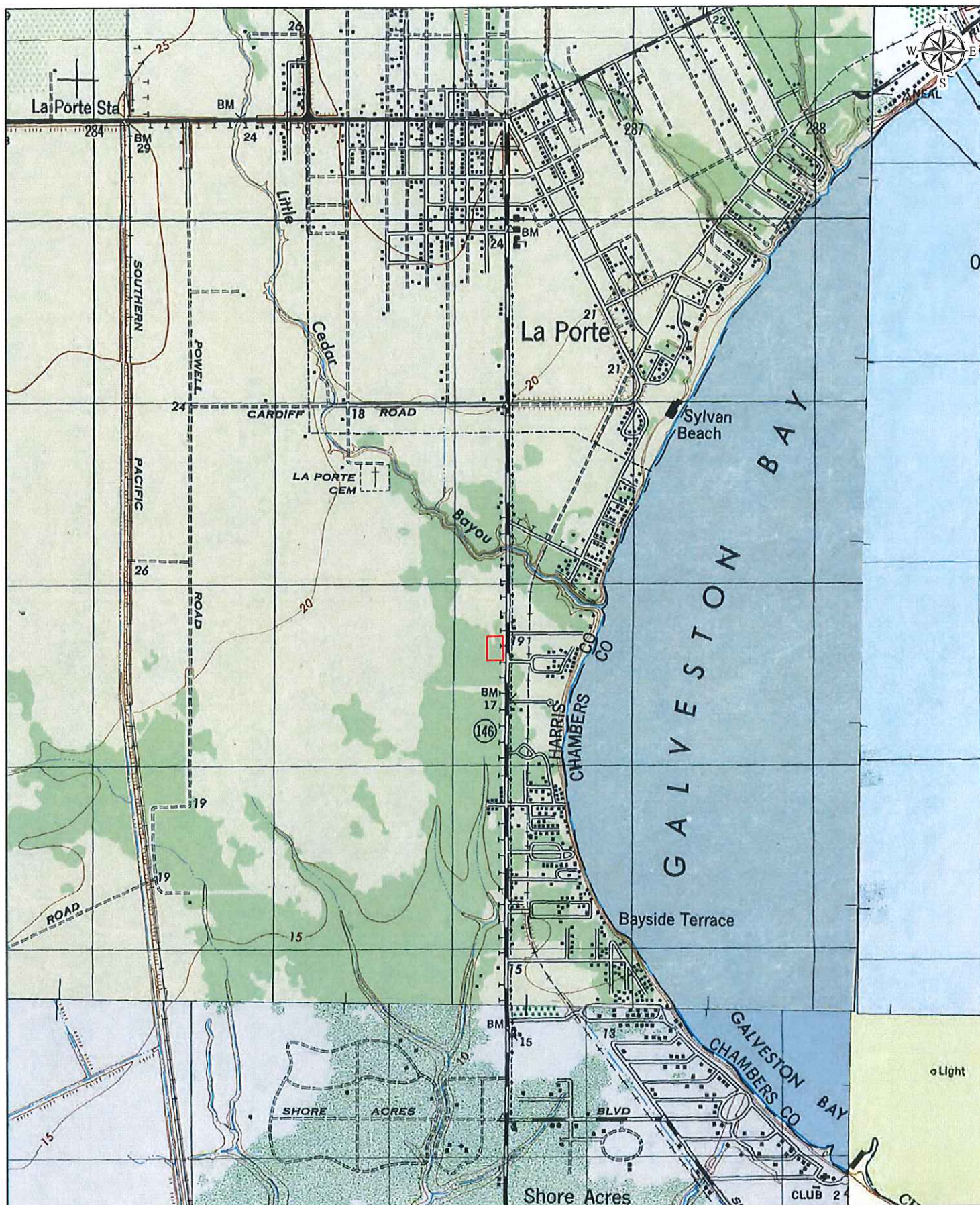


Date: 1955  
 Quad: La Porte, TX

0 1,000 2,000 4,000 Feet

**BANKS**  
 ENVIRONMENTAL DATA  
 A DIVISION OF THE BANKS GROUP



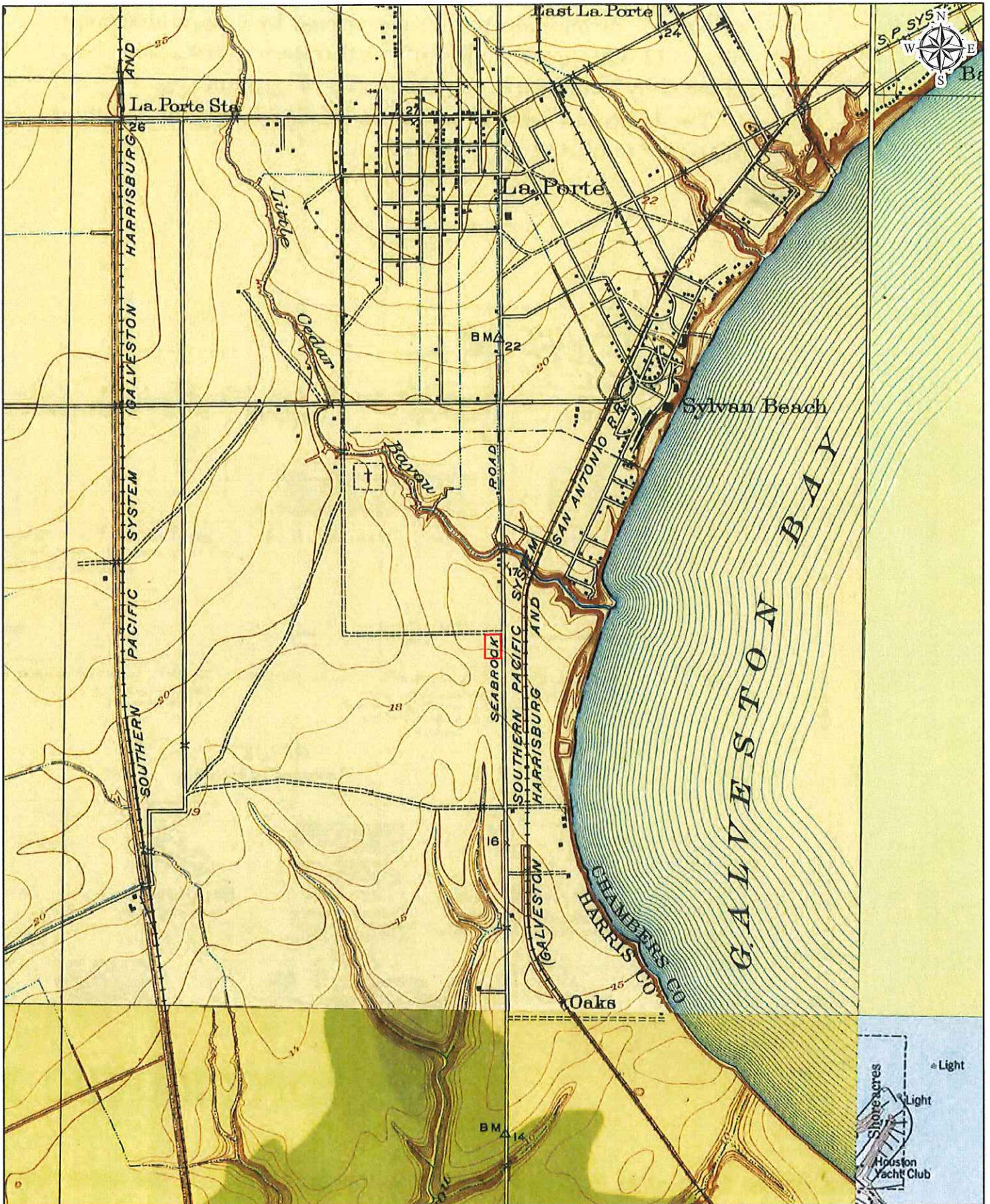


Date: 1944  
 Quad: La Porte, TX

0 1,000 2,000 4,000 Feet

**BANKS**  
 ENVIRONMENTAL DATA  
 A DIVISION OF THE BANKS GROUP



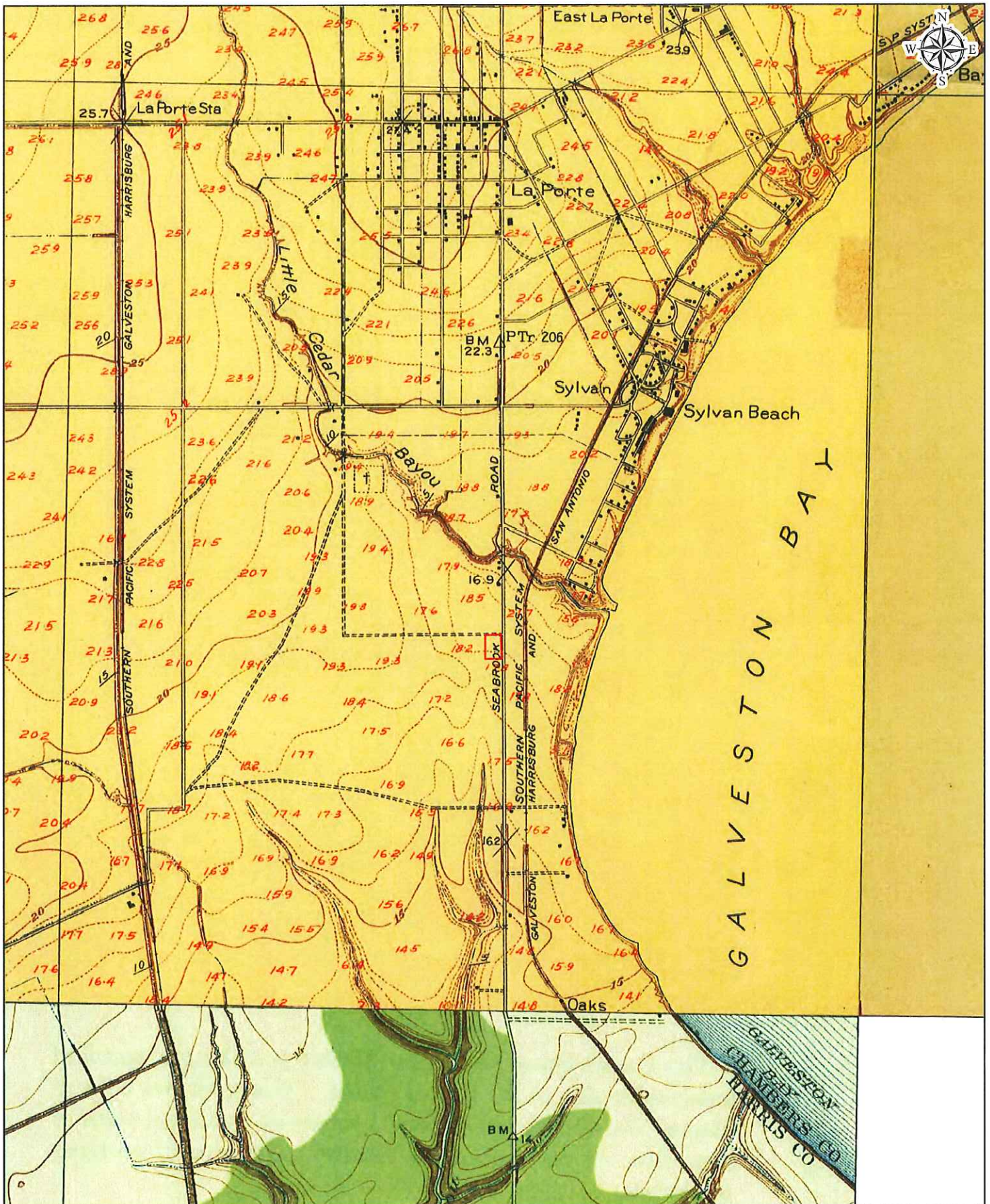


Date: 1920  
Quad: La Porte, TX

0 1,000 2,000 4,000 Feet

**BANKS**  
ENVIRONMENTAL DATA  
A DIVISION OF THE BANKS GROUP





Date: 1916  
 Quad: La Porte, TX

0 1,000 2,000 4,000 Feet



HISTORICAL TOPOGRAPHIC MAPS	
ES-141037	November 7, 2022



## COPYRIGHT POLICY & DISCLAIMER

*This report is solely for the limited use of the client and its customers. Banks Environmental Data, Inc. makes no warranties as to accuracy, validity, completeness, merchantability, quality, condition, suitability or fitness for a particular use or purpose in respect to this report and any information contained herein. All risk is assumed by the user. Banks Environmental Data, Inc. assumes no liability to any party for loss or damage whether rising out of errors or omissions, negligence, accident, or any other cause. In no event shall Banks Environmental Data, Inc., its affiliates or agents, be liable to anyone for special incidental, consequential or exemplary damages.*





NOTE: The subject property does appear to lie within the 100 year floodplain zones of the Taylor Bayou Watershed.

0 62.5 125 250 Feet

Location: Harris County, Texas  
Projection: WGS 1984 Web Mercator Auxiliary Sphere  
GIS Contact: Samuel Colter (scoller@bergoliver.com)  
Image Source: Nearmap (2022)  
Firm Panel: 48201C0945M  
Eff Date: 01/06/2017

### Legend

- Project Boundary (2.1522)
- 100-YEAR FLOODPLAIN
- DOES NOT LIE WITHIN FLOODPLAIN

## FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) MAP

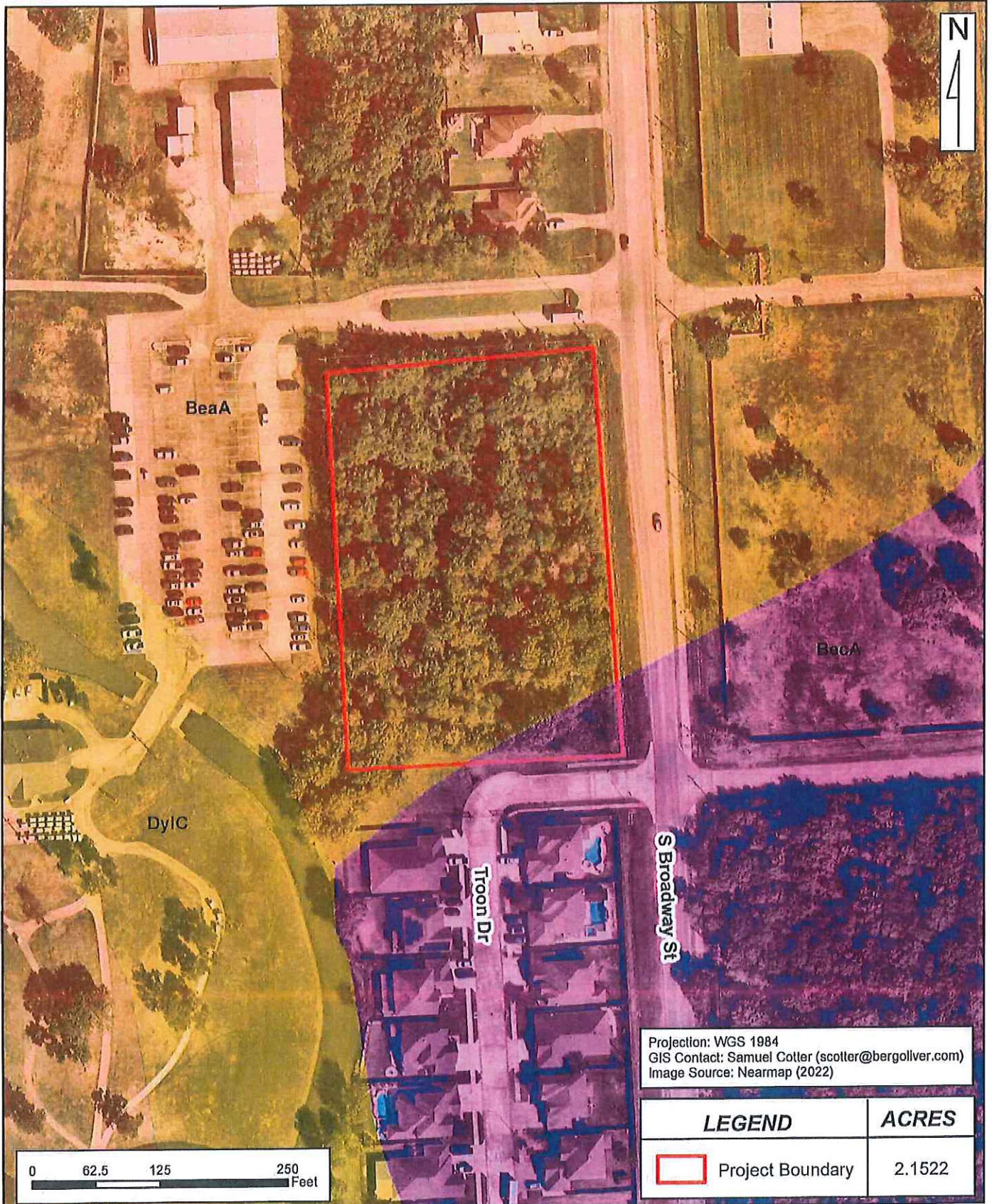
Project #: 12853H-P1  
Client: City of La Porte  
Location: SW of S Broadway St & Troon Dr  
La Porte, Harris County, Texas

REVISIONS	
11/14/2022	by SGC


**BERG•OLIVER ASSOCIATES, INC.**  
ENVIRONMENTAL SCIENCE & LAND USE CONSULTANTS  
14701 ST. MARY'S LANE, SUITE 400  
HOUSTON, TEXAS 77079 PHONE (281) 589-0898 <http://www.bergoliver.com>







Projection: WGS 1984  
GIS Contact: Samuel Cotter (scotter@bergoliver.com)  
Image Source: Nearmap (2022)

LEGEND	ACRES
 Project Boundary	2.1522

### UDSA NRCS SOIL SURVEY MAP

Project #: 12853H-P1  
Client: City of La Porte  
Location: SW of S Broadway St & Troon Dr  
La Porte, Harris County, Texas

REVISIONS  
11/14/2022 by SCC

**BERG-OLIVER ASSOCIATES, INC.**  
ENVIRONMENTAL SCIENCE & LAND USE CONSULTANTS  
14701 ST. MARY'S LANE, SUITE 400  
HOUSTON, TEXAS 77079 PHONE (281)589-0898 <http://www.bergoliver.com>





## Harris County, Texas

### BeaA—Beaumont clay, 0 to 1 percent slopes

#### Map Unit Setting

- *National map unit symbol:* 2pfj7
- *Elevation:* 20 to 100 feet
- *Mean annual precipitation:* 48 to 62 inches
- *Mean annual air temperature:* 68 to 72 degrees F
- *Frost-free period:* 270 to 300 days
- *Farmland classification:* Not prime farmland

#### Map Unit Composition

- *Beaumont and similar soils:* 85 percent
- *Minor components:* 15 percent
- *Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Beaumont

##### Setting

- *Landform:* Flats
- *Landform position (three-dimensional):* Dlp
- *Microfeatures of landform position:* Gilgal
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Parent material:* Clayey fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

##### Typical profile

- *A - 0 to 5 inches:* clay
- *Bw - 5 to 19 inches:* clay
- *Bssg - 19 to 80 inches:* clay

##### Properties and qualities

- *Slope:* 0 to 1 percent
- *Depth to restrictive feature:* More than 80 inches
- *Drainage class:* Poorly drained
- *Runoff class:* High
- *Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)
- *Depth to water table:* About 4 to 12 inches
- *Frequency of flooding:* None
- *Frequency of ponding:* None
- *Gypsum, maximum content:* 5 percent
- *Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
- *Sodium adsorption ratio, maximum:* 6.0
- *Available water supply, 0 to 60 inches:* Moderate (about 8.4 inches)

##### Interpretive groups

- *Land capability classification (irrigated):* 4w
- *Land capability classification (nonirrigated):* 4w
- *Hydrologic Soil Group:* D
- *Ecological site:* R150AY740TX - Northern Blackland
- *Hydric soil rating:* Yes

## Minor Components

### League

- *Percent of map unit:* 10 percent
- *Landform:* Flats
- *Landform position (three-dimensional):* Talf
- *Microfeatures of landform position:* Gilgai
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Ecological site:* R150AY740TX - Northern Blackland
- *Hydric soil rating:* No

### Viterbo

- *Percent of map unit:* 5 percent
- *Landform:* Flats
- *Landform position (three-dimensional):* Talf
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Ecological site:* R150AY741TX - Northern Loamy Prairie
- *Hydric soil rating:* No



## **Harris County, Texas**

### **BecA—Beaumont-Urban land complex, 0 to 1 percent slopes**

#### **Map Unit Setting**

- *National map unit symbol:* 2thnb
- *Elevation:* 0 to 100 feet
- *Mean annual precipitation:* 48 to 62 inches
- *Mean annual air temperature:* 68 to 72 degrees F
- *Frost-free period:* 270 to 300 days
- *Farmland classification:* Not prime farmland

#### **Map Unit Composition**

- *Beaumont and similar soils:* 65 percent
- *Urban land:* 35 percent
- *Estimates are based on observations, descriptions, and transects of the mapunit.*

#### **Description of Beaumont**

##### **Setting**

- *Landform:* Flats
- *Landform position (three-dimensional):* Dip
- *Microfeatures of landform position:* Gilgai
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Parent material:* Clayey fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

##### **Typical profile**

- *A - 0 to 5 inches:* clay
- *Bw - 5 to 19 inches:* clay
- *Bssg - 19 to 80 inches:* clay

##### **Properties and qualities**

- *Slope:* 0 to 1 percent
- *Depth to restrictive feature:* More than 80 inches
- *Drainage class:* Poorly drained
- *Runoff class:* High
- *Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)
- *Depth to water table:* More than 80 inches
- *Frequency of flooding:* None
- *Frequency of ponding:* None
- *Gypsum, maximum content:* 5 percent
- *Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
- *Sodium adsorption ratio, maximum:* 6.0
- *Available water supply, 0 to 60 inches:* Moderate (about 8.4 inches)

##### **Interpretive groups**

- *Land capability classification (irrigated):* 4w
- *Land capability classification (nonirrigated):* 4w
- *Hydrologic Soil Group:* D
- *Ecological site:* R150AY740TX - Northern Blackland
- *Hydric soil rating:* Yes

## **Description of Urban Land**

### **Typical profile**

- *M - 0 to 40 inches: variable*

### **Interpretive groups**

- *Land capability classification (irrigated): 8*
- *Land capability classification (nonirrigated): 8*
- *Hydrologic Soil Group: D*
- *Hydric soil rating: No*



## **APPENDIX C**

### **LEGAL DESCRIPTION AND LAND USE RECORDS**



## CHAIN OF TITLE

**Project Property:** CITY OF LA PORTE  
LA PORTE, TX 77571  
**Order No:** 22110400690-COT1  
**Date Completed:** 11/14/2022

*ERIS – Environmental Risk Information Services hereby submits the following historical chain-of-title to the land described below.*

*Title to the estate or interest covered by this report appears to be vested in:*

*F. CARRINGTON WEEMS, TRUSTEE OF THE MARY ANN WEEMS GST EXEMPT MARITAL DEDUCTION TRUST AND F. CARRINGTON WEEMS, TRUSTEE*

*The following is the current property legal description (See deed for full legal description):*

*LTS 17 19 THRU 23 & 26 THRU 31 & E 109 FT OF LTS 2 THRU 16 BLK 1254 LA PORTE*

*Assessor's Parcel Number(s): 024-248-054-0001*



# CHAIN OF TITLE REPORT

Order No: 22110400690-COT1

## HISTORICAL CHAIN OF TITLE

Public Records were searched at the HARRIS COUNTY Assessor's office and the HARRIS COUNTY Clerk's office back to 1962. The following conveyances were found of record.

1. Deed Type: DISTRIBUTION DEED  
Deed Date: 04/16/2016  
Recorded: 04/16/2016  
Grantor: F. CARRINGTON WEEMS, AS INDEPENDENT EXECUTOR OF THE ESTATE OF MARY ANN WEEMS, DECEASED  
Grantee: F. CARRINGTON WEEMS, TRUSTEE OF THE MARY ANN WEEMS GST EXEMPT MARITAL DEDUCTION TRUST  
Instrument: 2016-142007  
Notes: AN UNDIVIDED 1/2 INTEREST, IN TO ALL OF BLOCK 1254; NO DEED INTO MARY ANN WEEMS FOUND
2. Deed Type: WARRANTY DEED  
Deed Date: 10/03/2001  
Recorded: 10/19/2001  
Grantor: JOSEPH W. SHUNTA, TRUSTEE  
Grantee: F. CARRINGTON WEEMS, TRUSTEE  
Instrument: V371687  
Notes: ALL OF BLOCK 1254, SAVE AND EXCEPT LOTS 24 & 25
3. Deed Type: WARRANTY DEED  
Deed Date: 09/05/2001  
Recorded: 10/19/2001  
Grantor: WALLACE C. WESTFELDT, AS TRUSTEE OF THE ELIZABETH WEEMS TRUST, AND THE CHASE MANHATTAN BANK, SUCCESSOR BY MERGER TO CHASE BANK OF TEXAS, FKA TEXAS COMMERCE BANK NATIONAL ASSOCIATION, SUCCESSOR TO FIRST CITY NATIONAL BANK OF HOUSTON, AS TRUSTEE OF THE ELIZABETH V. WEEMS TRUST, UNDER THE WILL OF WHARTON E. WEEMS, DECEASED  
Grantee: JOSEPH W. SHUNTA, TRUSTEE  
Instrument: V371686  
Notes: ALL OF BLOCK 1254, SAVE AND EXCEPT LOTS 24 & 25

### Environmental Risk Information Services

A division of Glacier Media Inc.

1.866.517.5204 | [info@erisinfo.com](mailto:info@erisinfo.com) | [erisinfo.com](http://erisinfo.com)

## CHAIN OF TITLE REPORT

Order No: 22110400690-COT1

4. Deed Type: WARRANTY DEED  
Deed Date: 10/17/1993  
Recorded: 10/20/1993  
Grantor: ELIZABETH V. WEEMS  
Grantee: THE ELIZABETH WEEMS TRUST, AN UNDIVIDED 3/4 INTEREST  
Instrument: P511916  
Notes: ALL OF BLOCK 1254, SAVE AND EXCEPT LOTS 24 & 25, WOP
5. Deed Type: WARRANTY DEED  
Deed Date: 07/29/1988  
Recorded: 08/12/1988  
Grantor: BEN F. WEEMS, AN INDIVIDUAL, AN UNDIVIDED 1/4 INTEREST; F. CARRINGTON WEEMS, AN INDIVIDUAL, AN UNDIVIDED 1/4 INTEREST; FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE BEN F. WEEMS TRUST, UNDER THE WILL OF WHARTON E. WEEMS, DECEASED, AN UNDIVIDED 1/12 INTEREST; AND FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE F. CARRINGTON WEEMS TRUST, UNDER THE WILL OF WHARTON E. WEEMS, DECEASED, AN UNDIVIDED 1/12 INTEREST  
Grantee: ELIZABETH V. WEEMS, AN INDIVIDUAL, EACH HIS UNDIVIDED 1/4 INTEREST, AND FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE ELIZABETH V WEEMS TRUST, UNDER THE WILL OF WHARTON E. WEEMS DECEASED, THE 1/4 UNDIVIDED INTEREST OF THE FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE BEN F. WEEMS TRUST, UNDER THE WILL OF WHARTON E. WEEMS, DECEASED AND THE 1/4 UNDIVIDED INTEREST OF THE FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE F CARRINGTON WEEMS TRUST UNDER THE WILL OF WHARTON E. WEEMS, DECEASED  
Instrument: L798940  
Notes: ALL OF BLOCK 1254, SAVE AND EXCEPT LOTS 24 & 25, WOP; LEAVING FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE ELIZABETH V WEEMS TRUST UNDER THE WILL OF WHARTON E. WEEMS, DECEASED, AN UNDIVIDED 1/4 INTEREST, AND ELIZABETH V. WEEMS, AND INDIVIDUAL, AN UNDIVIDED 3/4 INTEREST
6. Deed Type: WARRANTY DEED  
Deed Date: 08/16/1967  
Recorded: 08/16/1967  
Grantor: HAZEL G. SETTLEMYRE, A WIDOW  
Grantee: F. CARRINGTON WEEMS, TRUSTEE  
Instrument: C553999  
Notes: LOT 18, BLOCK 1254 - GRANTOR TOOK TITLE PRIOR TO 1962

### Environmental Risk Information Services

A division of Glacier Media Inc.

1.866.517.5204 | [info@erisinfo.com](mailto:info@erisinfo.com) | [erisinfo.com](http://erisinfo.com)





## CHAIN OF TITLE REPORT

Order No: 22110400690-COT1

### LEASES AND MISCELLANEOUS

Comments: NONE IDENTIFIED.



## CHAIN OF TITLE REPORT

Order No: 22110400690-COT1

**Thank You for Your Business**  
Please contact ERIS at **416-510-5204** or **info@erisinfo.com**  
with any questions or comments

### LIMITATION

This report is neither a guarantee of title, a commitment to insure, or a policy of title insurance. ERIS – Environmental Risk Information Services does not guarantee nor include any warranty of any kind whether expressed or implied, about the validity of all information included in this report since this information is retrieved as it is recorded from various agencies that make it available. The total liability is limited to the fee paid for this report.



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DISTRIBUTION DEED

THE STATE OF TEXAS

COUNTY OF HARRIS

**Grantor:** F. Carrington Weems, as Independent Executor of the Estate of Mary Ann Weems, Deceased

**Grantor's Address:** 919 Kirby Drive  
Houston, Harris County, TX 77019

**Grantee:** F. Carrington Weems, Trustee of the Mary Ann Weems GST Exempt Marital Deduction Trust

**Grantee's Address:** 919 Kirby Drive  
Houston, Harris County, TX 77019

**Property:** An undivided one-half (1/2) interest in and to all of Block 1254, SAVE AND EXCEPT Lot 1 and Lot 32 and also SAVE AND EXCEPT the west sixteen feet of Lots 2 through 16, Town of La Porte, Harris County, Texas, according to map or plat thereof recorded in Volume 60, Pages 112 and 113 of the Deed Records of Harris County, Texas, together with any improvements and fixtures located thereon.

**Recitals:**

The following facts form the basis for this Deed:

1. Mary Ann Weems, the wife of F. Carrington Weems and a resident of Harris County, Texas, died on April 1, 2013. The Last Will and Testament of Mary Ann Weems dated May 8, 2007, First Codicil thereto dated April 29, 2010, Second Codicil thereto dated August 3, 2010 and Third Codicil thereto dated February 12, 2013 (together called the "Will") were admitted to probate in Cause No. 421,196 in Probate Court No. 1 of Harris

County, Texas. Letters Testamentary were granted to F. Carrington Weems as Independent Executor and he continues to serve in that capacity.

2. The real property described above was the community property of F. Carrington Weems and Mary Ann Weems. In satisfaction of the devise in the Will of the undivided one-half interest of Mary Ann Weems in and to such real property, the Grantor desires to distribute the Property to the Grantee. This deed does not affect in any way the undivided one-half interest in such real property owned by F. Carrington Weems.

In distribution of the Property from the Estate of Mary Ann Weems, Grantor has GRANTED and CONVEYED, and by these presents does GRANT and CONVEY, the Property unto the Grantee.

This conveyance, however, is made and accepted subject to all easements, rights-of-way, and prescriptive rights, whether of record or not; rights of parties in possession; and all liens, encumbrances, restrictions, reservations, mineral leases (the rights and interests of Mary Ann Weems in any such mineral leases being granted and assigned hereby to the Grantee) and other matters shown of record in Harris County, Texas, to the extent they are validly existing and affect the Property.

TO HAVE AND TO HOLD the Property and premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor and Grantor's successors and assigns, to warrant and forever defend, all and singular, the Property and premises unto the Grantee, and Grantee's successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

F. Carrington Weems has executed this deed solely in his capacity as Independent



Executor and this deed shall bind him only in such capacity. Any liability he may have in such capacity hereunder shall be satisfied only out of the assets of the Estate of Mary Ann Weems within his custody and control in such capacity at the time any such liability is conclusively established.

Dated: April 1st, 2016.

GRANTOR:

F. Carrington Weems  
F. Carrington Weems, in his capacity as Independent Executor of the Estate of Mary Ann Weems, Deceased, but not otherwise

The undersigned F. Carrington Weems acknowledges and confirms that the real property described herein was the community property of F. Carrington Weems and wife, Mary Ann Weems and that each owned an undivided one-half (1/2) interest in such real property.

F. Carrington Weems  
F. Carrington Weems, Trustee and Individually

THE STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on April 1, 2016, by F. Carrington Weems, Trustee, Individually and as the Independent Executor of the Estate of Mary Ann Weems, Deceased.

Jovana Popovich  
Notary Public, State of Texas

AFTER FILING, RETURN TO:

Fizer, Beck, Webster, Bentley & Scroggins  
Attn: Jovana Popovich  
2727 Allen Parkway, Suite 900  
Houston, TX 77019



KP-2016-142007

RP-2016-142007

# Pages 4

04/06/2016 09:10 AM

e-Filed & e-Recorded in the

Official Public Records of

HARRIS COUNTY

STAN STANART

COUNTY CLERK

Fees \$24.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS

COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS





## CHAIN OF TITLE & **LIEN SEARCHES**

**Project Property:** CITY OF LA PORTE  
LA PORTE, TX 77571  
**Order No:** 22110400690-COTEL1  
**Date Completed:** 11/14/2022

Title to the estate or interest covered by this report appears to be vested in:  
*F. CARRINGTON WEEMS, TRUSTEE OF THE MARY ANN WEEMS GST EXEMPT MARITAL  
DEDUCTION TRUST AND F. CARRINGTON WEEMS, TRUSTEE*

The following is the current property legal description (See deed for full legal  
description):  
*LTS 17 19 THRU 23 & 26 THRU 31 & E 109 FT OF LTS 2 THRU 16 BLK 1254 LA PORTE*

Assessor's Parcel Number(s):  
*024-248-054-0001*



## ENVIRONMENTAL LIEN TO 1980 REPORT

Order No: 22110400690-COTEL1

### TARGET PROPERTY INFORMATION

#### ADDRESS

CITY OF LA PORTE  
LA PORTE, TX 77571

#### RESEARCH SOURCES

RECORDER: HARRIS COUNTY RECORDER'S OFFICE  
ASSESSOR: HARRIS COUNTY ASSESSOR'S OFFICE  
STATE: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)  
FEDERAL: UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OTHER: JUDICIAL RECORDS NOT SEARCHED. BASED ON AVAILABLE INFORMATION EVALUATED BY THE TITLE SEARCH PROFESSIONAL, THE JURISDICTION DOES NOT REQUIRE A SEARCH OF JUDICIAL RECORDS IN ORDER TO IDENTIFY ENVIRONMENTAL LIENS.  
NOTES: PUBLIC RECORDS OF HARRIS COUNTY, TX WERE SEARCHED FROM JANUARY 1, 1980 TO NOVEMBER 7, 2022, AND NO OTHER DEEDS VESTING TITLE IN THE SUBJECT PROPERTY WERE FOUND OF RECORD DURING THE PERIOD SEARCHED.

#### Environmental Risk Information Services

*A division of Glacier Media Inc.*

1.866.517.5204 | [info@erisinfo.com](mailto:info@erisinfo.com) | [erisinfo.com](http://erisinfo.com)





## ENVIRONMENTAL LIEN TO 1980 REPORT

Order No: 22110400690-COTEL1

### ENVIRONMENTAL LIENS

Environmental Lien: ☒ NOT FOUND

### ACTIVITY AND USE LIMITATIONS (AULs)

AULs: ☒ NOT FOUND

**Environmental Risk Information Services**

*A division of Glacier Media Inc.*

1.866.517.5204 | [info@erisinfo.com](mailto:info@erisinfo.com) | [erisinfo.com](http://erisinfo.com)

# ENVIRONMENTAL LIEN TO 1980 REPORT

Order No: 22110400690-COTEL1

## CHAIN OF TITLE TO 1980

1. Deed Type: DISTRIBUTION DEED  
Deed Date: 04/16/2016  
Recorded: 04/16/2016  
Grantor: F. CARRINGTON WEEMS, AS INDEPENDENT EXECUTOR OF THE ESTATE OF MARY ANN WEEMS, DECEASED  
Grantee: F. CARRINGTON WEEMS, TRUSTEE OF THE MARY ANN WEEMS GST EXEMPT MARITAL DEDUCTION TRUST  
Instrument: 2016-142007  
Notes: AN UNDIVIDED 1/2 INTEREST, IN TO ALL OF BLOCK 1254; NO DEED INTO MARY ANN WEEMS FOUND
  
2. Deed Type: WARRANTY DEED  
Deed Date: 10/03/2001  
Recorded: 10/19/2001  
Grantor: JOSEPH W. SHUNTA, TRUSTEE  
Grantee: F. CARRINGTON WEEMS, TRUSTEE  
Instrument: V371687  
Notes: ALL OF BLOCK 1254, SAVE AND EXCEPT LOTS 24 & 25
  
3. Deed Type: WARRANTY DEED  
Deed Date: 09/05/2001  
Recorded: 10/19/2001  
Grantor: WALLACE C. WESTFELDT, AS TRUSTEE OF THE ELIZABETH WEEMS TRUST, AND THE CHASE MANHATTAN BANK, SUCCESSOR BY MERGER TO CHASE BANK OF TEXAS, FKA TEXAS COMMERCE BANK NATIONAL ASSOCIATION, SUCCESSOR TO FIRST CITY NATIONAL BANK OF HOUSTON, AS TRUSTEE OF THE ELIZABETH V. WEEMS TRUST, UNDER THE WILL OF WHARTON E. WEEMS, DECEASED  
Grantee: JOSEPH W. SHUNTA, TRUSTEE  
Instrument: V371686  
Notes: ALL OF BLOCK 1254, SAVE AND EXCEPT LOTS 24 & 25
  
4. Deed Type: WARRANTY DEED  
Deed Date: 10/17/1993  
Recorded: 10/20/1993  
Grantor: ELIZABETH V. WEEMS  
Grantee: THE ELIZABETH WEEMS TRUST, AN UNDIVIDED 3/4 INTEREST  
Instrument: P511916  
Notes: ALL OF BLOCK 1254, SAVE AND EXCEPT LOTS 24 & 25, WOP

### Environmental Risk Information Services

A division of Glacier Media Inc.

1.866.517.5204 | [info@erisinfo.com](mailto:info@erisinfo.com) | [erisinfo.com](http://erisinfo.com)





## ENVIRONMENTAL LIEN TO 1980 REPORT

Order No: 22110400690-COTEL1

5. Deed Type: WARRANTY DEED
- Deed Date: 07/29/1988
- Recorded: 08/12/1988
- Grantor: BEN F. WEEMS, AN INDIVIDUAL, AN UNDIVIDED 1/4 INTEREST; F. CARRINGTON WEEMS, AN INDIVIDUAL, AN UNDIVIDED 1/4 INTEREST; FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE BEN F. WEEMS TRUST, UNDER THE WILL OF WHARTON E. WEEMS, DECEASED, AN UNDIVIDED 1/12 INTEREST; AND FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE F. CARRINGTON WEEMS TRUST, UNDER THE WILL OF WHARTON E. WEEMS, DECEASED, AN UNDIVIDED 1/12 INTEREST
- Grantee: ELIZABETH V. WEEMS, AN INDIVIDUAL, EACH HIS UNDIVIDED 1/4 INTEREST, AND FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE ELIZABETH V WEEMS TRUST, UNDER THE WILL OF WHARTON E. WEEMS DECEASED, THE 1/4 UNDIVIDED INTEREST OF THE FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE BEN F. WEEMS TRUST, UNDER THE WILL OF WHARTON E. WEEMS, DECEASED AND THE 1/4 UNDIVIDED INTEREST OF THE FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE F CARRINGTON WEEMS TRUST UNDER THE WILL OF WHARTON E. WEEMS, DECEASED
- Instrument: L798940
- Notes: ALL OF BLOCK 1254, SAVE AND EXCEPT LOTS 24 & 25, WOP; LEAVING FIRST CITY NATIONAL BANK OF HOUSTON, TRUSTEE OF THE ELIZABETH V WEEMS TRUST UNDER THE WILL OF WHARTON E. WEEMS, DECEASED, AN UNDIVIDED 1/4 INTEREST, AND ELIZABETH V. WEEMS, AND INDIVIDUAL, AN UNDIVIDED 3/4 INTEREST  
RESEARCH CONDUCTED BACK TO 1980. THIS IS THE OLDEST DEED OF RECORD FOUND POST DECEMBER 31, 1979 (BETWEEN 01/01/1980 AND 08/12/1988).

### Environmental Risk Information Services

A division of Glacier Media Inc.

1.866.517.5204 | [info@erisinfo.com](mailto:info@erisinfo.com) | [erisinfo.com](http://erisinfo.com)



## ENVIRONMENTAL LIEN TO 1980 REPORT

Order No: 22110400690-COTEL1

### LEASES AND MISCELLANEOUS

Comments: NONE IDENTIFIED.

**Environmental Risk Information Services**

*A division of Glacier Media Inc.*

1.866.517.5204 | [info@erisinfo.com](mailto:info@erisinfo.com) | [erisinfo.com](http://erisinfo.com)





## ENVIRONMENTAL LIEN TO 1980 REPORT

Order No: 22110400690-COTEL1

The ERIS Environmental Lien Search Report to 1980 provides results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering and institutional controls.

A network of professional, trained researchers, following established procedures, uses client supplied property information to:

- Search for parcel information and / or legal description
- Search for ownership information
- Research official land title documents recorded at jurisdictional agencies such as recorder's office, registries of deeds, county clerks' offices, etc.
- Access copies of deeds to 1980
- Search for environmental encumbrance(s) associated with the deeds
- Provide a copy of any environmental encumbrance(s) based upon a review of keywords in the instrument(s) (title, parties involved and description)
- Provide a copy of the deeds or cite documents reviewed

### Thank You for Your Business

Please contact ERIS at 416-510-5204 or [info@erisinfo.com](mailto:info@erisinfo.com) with any questions or comments

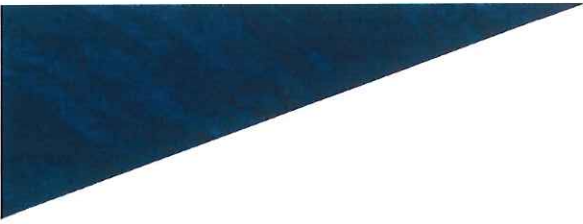
### LIMITATION

This report is neither a guarantee of title, a commitment to insure, or a policy of title insurance. ERIS – Environmental Risk Information Services does not guarantee nor include any warranty of any kind whether expressed or implied, about the validity of all information included in this report since this information is retrieved as it is recorded from various agencies that make it available. The total liability is limited to the fee paid for this report.

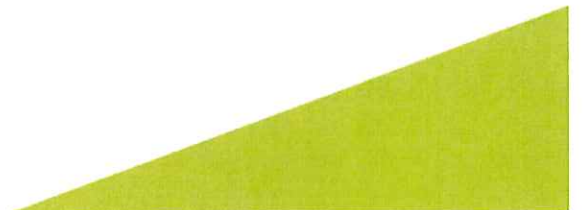
### Environmental Risk Information Services

*A division of Glacier Media Inc.*

1.866.517.5204 | [info@erisinfo.com](mailto:info@erisinfo.com) | [erisinfo.com](http://erisinfo.com)



## DEED EXHIBIT





NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**DISTRIBUTION DEED**

THE STATE OF TEXAS

COUNTY OF HARRIS

**Grantor:** F. Carrington Weems, as Independent Executor of the Estate of Mary Ann Weems, Deceased

**Grantor's Address:** 919 Kirby Drive  
Houston, Harris County, TX 77019

**Grantee:** F. Carrington Weems, Trustee of the Mary Ann Weems GST Exempt Marital Deduction Trust

**Grantee's Address:** 919 Kirby Drive  
Houston, Harris County, TX 77019

**Property:** An undivided one-half (1/2) interest in and to all of Block 1254, SAVE AND EXCEPT Lot 1 and Lot 32 and also SAVE AND EXCEPT the west sixteen feet of Lots 2 through 16, Town of La Porte, Harris County, Texas, according to map or plat thereof recorded in Volume 60, Pages 112 and 113 of the Deed Records of Harris County, Texas, together with any improvements and fixtures located thereon.

**Recitals:**

The following facts form the basis for this Deed:

1. Mary Ann Weems, the wife of F. Carrington Weems and a resident of Harris County, Texas, died on April 1, 2013. The Last Will and Testament of Mary Ann Weems dated May 8, 2007, First Codicil thereto dated April 29, 2010, Second Codicil thereto dated August 3, 2010 and Third Codicil thereto dated February 12, 2013 (together called the "Will") were admitted to probate in Cause No. 421,196 in Probate Court No. 1 of Harris

County, Texas. Letters Testamentary were granted to F. Carrington Weems as Independent Executor and he continues to serve in that capacity.

2. The real property described above was the community property of F. Carrington Weems and Mary Ann Weems. In satisfaction of the devise in the Will of the undivided one-half interest of Mary Ann Weems in and to such real property, the Grantor desires to distribute the Property to the Grantee. This deed does not affect in any way the undivided one-half interest in such real property owned by F. Carrington Weems.

In distribution of the Property from the Estate of Mary Ann Weems, Grantor has GRANTED and CONVEYED, and by these presents does GRANT and CONVEY, the Property unto the Grantee.

This conveyance, however, is made and accepted subject to all easements, rights-of-way, and prescriptive rights, whether of record or not; rights of parties in possession; and all liens, encumbrances, restrictions, reservations, mineral leases (the rights and interests of Mary Ann Weems in any such mineral leases being granted and assigned hereby to the Grantee) and other matters shown of record in Harris County, Texas, to the extent they are validly existing and affect the Property.

TO HAVE AND TO HOLD the Property and premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor and Grantor's successors and assigns, to warrant and forever defend, all and singular, the Property and premises unto the Grantee, and Grantee's successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

F. Carrington Weems has executed this deed solely in his capacity as Independent



Executor and this deed shall bind him only in such capacity. Any liability he may have in such capacity hereunder shall be satisfied only out of the assets of the Estate of Mary Ann Weems within his custody and control in such capacity at the time any such liability is conclusively established.

Dated: April 1st, 2016.

GRANTOR:

F. Carrington Weems  
F. Carrington Weems, in his capacity as Independent Executor of the Estate of Mary Ann Weems, Deceased, but not otherwise

The undersigned F. Carrington Weems acknowledges and confirms that the real property described herein was the community property of F. Carrington Weems and wife, Mary Ann Weems and that each owned an undivided one-half (1/2) interest in such real property.

F. Carrington Weems  
F. Carrington Weems, Trustee and Individually

THE STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on April 1, 2016, by F. Carrington Weems, Trustee, Individually and as the Independent Executor of the Estate of Mary Ann Weems, Deceased.

Jovana Popovich  
Notary Public, State of Texas

AFTER FILING, RETURN TO:

Fizer, Beck, Webster, Bentley & Scroggins  
Attn: Jovana Popovich  
2727 Allen Parkway, Suite 900  
Houston, TX 77019



RP-2016-142007

RP-2016-142007

# Pages 4

04/06/2016 09:10 AM

e-Filed & e-Recorded in the

Official Public Records of

HARRIS COUNTY

STAN STANART

COUNTY CLERK

Fees \$24.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS

COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS



<b>IMPORTANT NOTICE</b>
-------------------------

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for various Texas counties. Title Data created its title plants through the investment of extensive time, labor, skill and money. The information contained in the title plants is protected by federal copyright law and Texas common law on trade secrets and contract.

Title Data has granted our company a license to use one or more of its title plants. Our company's right to access and use Title Data's title plants is governed by our contract with Title Data. Our contract with Title Data restricts who can receive and/or use a title insurance commitment which is based, in whole or in part, upon Title Data's records and information.

Under the terms of our contract with Title Data, we are permitted to provide you with the attached title insurance commitment for limited use and distribution only. Specifically, you are sublicensed to deliver, exhibit, or furnish the attached title insurance commitment (or any copies thereof) ONLY to your bona fide employees and a third party who is playing a bona fide role in this proposed real estate transaction, including a lawyer, a lender, a surveyor, a real estate broker or agent, and the parties to this proposed transaction.

For purposes of our agreement with Title Data, "deliver, exhibit, or furnish" includes, without limitation, copying this title insurance commitment (whether such copying be by means of a photocopier, facsimile machine, another electronic scanning device, or any other method of reproduction) and providing such copy to any third party.

Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is not permitted by our contract with Title Data and constitutes a breach of our sublicense to you. Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is also a violation of federal copyright law and Texas common law.

Therefore, as an express condition of us providing you with the attached title insurance commitment, you specifically agree to limit its uses to those set forth herein, and to provide a copy of this letter to any party to whom you deliver, exhibit, or furnish the attached title insurance commitment (or any copies thereof).

In the event you are unable or unwilling to comply with these conditions, immediately return the attached title insurance commitment to our company, without reviewing, copying, or otherwise utilizing in any way the information contained therein.

**A COPY OF THIS LETTER MUST ACCOMPANY THE ATTACHED TITLE INSURANCE COMMITMENT AT ALL TIMES. ALL DOWNSTREAM RECIPIENTS MUST PROVIDE A COPY OF THIS LETTER TO ANY OTHER AUTHORIZED USERS OF THE ATTACHED TITLE INSURANCE COMMITMENT.**

## COMMITMENT FOR TITLE INSURANCE (T-7)

ISSUED BY

### TEXAN TITLE INSURANCE COMPANY

We, TEXAN TITLE INSURANCE COMPANY, 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.

**THE FOLLOWING COMMITMENT FOR TITLE INSURANCE IS NOT VALID UNLESS YOUR NAME AND THE POLICY AMOUNT ARE SHOWN IN SCHEDULE A, AND OUR AUTHORIZED REPRESENTATIVE HAS COUNTERSIGNED BELOW.**

Countersigned by:

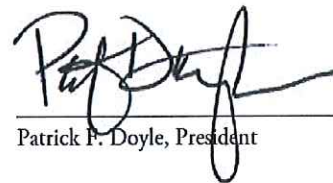


Authorized Countersignature  
South Land Title, L.L.C.

Company Name



Texan Title Insurance Company

  
Patrick P. Doyle, President

### 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.

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at 6710 Stewart Road, Suite 300, Galveston, Texas 77551.



## TEXAN TITLE INSURANCE COMPANY

### IMPORTANT INFORMATION

FOR INFORMATION, OR  
TO MAKE A COMPLAINT  
CALL OUR TOLL-FREE TELE-  
PHONE NUMBER

1-866-55-TEXAN

ALSO  
YOU MAY CONTACT  
THE TEXAS DEPARTMENT  
OF INSURANCE AT

1-800-252-3439

to obtain information on:

1. filing a complaint against an insurance company or agent,
2. whether an insurance company or agent is licensed,
3. complaints received against an insurance company or agent.
4. policyholder rights, and
5. a list of consumer publications and services available through the Department.

YOU MAY ALSO WRITE TO  
THE TEXAS DEPARTMENT OF  
INSURANCE  
P.O. BOX 149104  
AUSTIN, TEXAS 78714-9104  
FAX NO. (512) 490-1007

### AVISO IMPORTANTE

PARA INFORMACION, O  
PARA SOMETER UNA QUEJA  
LLAME AL NUMERO GRATIS

1-866-55-TEXAN

TAMBIEN  
PUEDE COMUNICARSE CON  
EL DEPARTAMENTO DE SEGUROS  
DE TEXAS AL

1-800-252-3439

para obtener informacion sobre:

1. como someter una queja en contra de una compania de seguros o agente de seguros,
2. si una compania de seguros o agente de seguros tiene licencia,
3. quejas recibidas en contra de una compania de seguros o agente de seguros,
4. los derechos del asegurado, y
5. una lista de publicaciones y servicios para consumidores disponibles a traves del Departamento.

TAMBIEN PUEDE ESCRIBIR AL  
DEPARTAMENTO DE SEGUROS DE  
TEXAS  
P.O. BOX 149104  
AUSTIN, TEXAS 78714-9104  
FAX NO. (512) 490-1007

**TEXAN TITLE INSURANCE COMPANY**  
**TEXAS TITLE INSURANCE INFORMATION**

<p>Title insurance insures you against loss resulting from certain risks to your title.</p> <p>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.</p>	<p>El seguro de titulo le asegura en relacion a perdidas resultantes de ciertos riesgos que pueden afectar el titulo de su propiedad.</p> <p>El Compromiso para Seguro de Titulo es la promesa de la compania aseguradora de titulos de emitir la poliza de seguro de titulo. El Compromiso es un documento legal. Usted debe leerlo cuidadosamente y entenderlo completamente antes de la fecha para finalizar su transaccion.</p>
--	---

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, ensure 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 1-866-55-TEXAN 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.

COMMITMENT FOR TITLE INSURANCE T-7

ISSUED BY

**TEXAN TITLE INSURANCE COMPANY**

SCHEDULE A

Effective Date: **September 19, 2022, 8:00 am**

GF No. **FX2200882**

Commitment issued **September 26, 2022, 8:00 am**

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: **\$300,000.00**  
PROPOSED INSURED: **City Of La Porte, Texas**
- b. TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE  
ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)  
Policy Amount:  
PROPOSED INSURED:
- c. LOAN POLICY OF TITLE INSURANCE (Form T-2)  
Policy Amount:  
PROPOSED INSURED:  
Proposed Borrower:
- d. TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)  
Policy Amount:  
PROPOSED INSURED:  
Proposed Borrower:
- e. LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)  
Binder Amount:  
PROPOSED INSURED:  
Proposed Borrower:
- f. OTHER  
Policy Amount:  
PROPOSED INSURED:

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:

**F. Carrington Weems, Trustee (Blind Trust)**

**and**

**F. Carrington Weems, Trustee of the Mary Ann Weems GST Exempt Marital Deduction Trust**



4. Legal description of land:

The EAST 109 feet of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, and All of Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, all in Block 1254, of the TOWN OF LA PORTE, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 60, Pages 112 and 113, of the Deed Records of Harris County, Texas, together with the abandoned alleyway located adjacent thereto, by City Ordinance No. 2004-2708, to which a certified copy of same appears of record under Harris County Clerk's File Number X471213.

**COMMITMENT FOR TITLE INSURANCE T-7  
ISSUED BY**

GF No. **FX2200882**

**TEXAN TITLE INSURANCE COMPANY  
SCHEDULE B**

**EXCEPTIONS FROM COVERAGE**

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):

**ITEM 1 OF SCHEDULE "B" IS HEREBY DELETED IN ITS ENTIRETY.**

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's Policy only.)
4. Any titles 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 of 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's Policy only.)
5. Standby fees, taxes and assessments by any taxing authority for the year **2022**, 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 year. (If Texas Short Form Residential Loan 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 year **2022** 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 Loan Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)
8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage. (Applies to Loan Policy (T-2) only.)
9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Loan Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Loan 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 Loan 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. (OWNER POLICY ONLY)**
- b. **Subject to any and all visible and/or apparent easements over, under or across subject property, which a survey or physical inspection may disclose.**
- c. **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.**
- d. **Any portion of the subject property lying within the boundaries of a public or private roadway, whether dedicated or not.**
- e. **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 interests that are not listed.**
- f. **This policy does not insure against loss sustained by the owner of the surface of said property through the exercise of the right of ingress and egress and/or any other right of privilege incident to the ownership of said mineral estate. (Owner's Policy Only)**
- g. **Rights of tenants, as tenants only, under existing lease agreements affecting the land.**
- h. **Subject to the ZONING ORDINANCES now in force in the City of La Porte, Texas.**
- i. **Subject property lies within the boundaries of La Porte Area Water Authority as referenced by instrument recorded under Harris County Clerk's File Number L826773.**

**COMMITMENT FOR TITLE INSURANCE T-7  
ISSUED BY**

GF No. **FX2200882**

**TEXAN TITLE INSURANCE COMPANY  
SCHEDULE C**

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 Loan 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. NOTE: Procedural Rule P-27 as provided for in Article 9.39A of the Texas Insurance Code requires that "Good Funds" be received and deposited before a Title Agent may disburse from its Trust Fund Account.
6. NOTE: We find no outstanding liens of record affecting the subject property. Inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest claim in the subject property.
7. Subject property lies within the boundaries of La Porte Area Water Authority as referenced by instrument recorded under Harris County Clerk's File Number L826773. REQUIREMENT: Pursuant to V.T.C.A. Water Code, Section 49.452 proper notice in statutory form must be given to the purchaser.
8. Proposed insured will be required to execute a waiver of inspection at the time of closing and an exception to "rights of parties in possession: will be contained in the owner's policy when issued; however, the proposed insured may request that this exception be omitted, in which case the company will require that an inspection be conducted by its agent, for which an inspection fee may be charge, and the company reserves the right to make additional exceptions in the policy to matters revealed by the inspections.
9. The following requirements must be met by settlement agent prior to policy issuance:
  - a) A properly completed Affidavit as to Debts and Liens executed by Owner/Seller;



b) Proof of payment of all taxes due and owing at the time of settlement and proof that the subject property qualified for each ad valorem tax exemption that was granted to it for the last 5 years;

c) Request from Company an updated Commitment for Title Insurance within 5 days of anticipated closing date.

10. This transaction involves a BLIND TRUST. Company requires the Trustee provide a copy of the Trust Agreement for review or, in the alternative, the Trustee file a Certification of Trust in the real property records meeting all of the provisions of Section 114.086(a) and (c) of the Texas Property Code, and provide excerpts from the Trust Agreement sufficient to evidence authority of the Trustee to enter into this transaction.
11. FOR INFORMATION PURPOSES: F. Carrington Weems, as Trustee, acquired All of Block 1254 (Lots 1 thru 32), Save & Except Lots 24 and 25, in Block 1254, by General Warranty Deed dated October 3, 2001, recorded under Harris County Clerk's File Number V371687.

F. Carrington Weems, as Trustee, acquired title to Lots 24 and 25, in Block 1254, by Tax Resale Deed dated February 2, 2004, recorded under Harris County Clerk's File Number X755078.

Next in the Chain of Title, F. Carrington Weems, as Trustee, conveyed ALL of Lots 1 & 32 in Block 1254, and the WEST 16 feet of Lots 2 thru 16, in Block 1254, to the City of La Porte, a municipal corporation by Special Warranty Deed dated February 2, 2004, recorded under Harris County Clerk's File Number X471212.

Later, by a Distribution Deed dated April 1, 2016, F. Carrington Weems, as Independent Executor of the Estate of Mary Ann Weems, Deceased, conveys an Undivided 1/2 interest of the following described property \*\* to F. Carrington Weems, Trustee of the Mary Ann Weems GST Exempt Marital Deduction Trust, as recorded under Galveston County Clerk's File Number RP-2016-142007 (HA20160142007)

\*\* All of Block 1254, SAVE & EXCEPT Lots 1 & 32, and also SAVE & EXCEPT the WEST 16 feet of Lots 2 thru 16, Town of LaPorte, Harris County, Texas, according to the map or plat thereof recorded in Volume 60, Pages 112 and 113 of the Deed Records of Harris County, Texas.

12. [Please click here to access copies of the Exception Documents and Schedule "C" items.](#)

13. NOTE: TD INFO U1/2, 1254/1 thru 32, Harris County, Texas

NLL

PC -2226298 (ST)

Countersigned  
South Land Title, LLC

By:   
Authorized Counter Signature

## COMMITMENT FOR TITLE INSURANCE

### SCHEDULE D

GF No. **FX2200882**

Effective Date: **September 19, 2022, 8:00 am**

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 following individuals are directors and/or officers, as indicated, of the Title Insurance Company issuing this Commitment

- (a) The Title Insurance Company, **Texan Title Insurance Company**, is wholly owned by Texan Title Holdings, LLC. Individuals, partnerships, corporations, trusts or other entities owning ten percent (10%) or more of Texan Title Holdings, LLC:

Patrick F. Doyle - 100%

- (b) The directors of Texan Title Insurance Company are Patrick F. Doyle, Jessica R. Carper, Jeffrey A. Adams and Russell D. Sugg

- (c) The president, executive or senior vice-president, secretary and treasurer of Texan Title Insurance Company:

Patrick F. Doyle - Chief Executive Officer and President  
Jessica R. Carper - Senior Vice President and Treasurer  
Jeffrey A. Adams - General Counsel and Secretary  
J. Brandon Linscomb - Senior Vice President  
Russell D. Sugg - Executive Vice President

2. The issuing Title Insurance Agent, **South Land Title, LLC** a Texas Limited Liability Company, whose members owning or controlling, directly or indirectly, 1% or more of said company (or owning or controlling 10% or more of an entity that owns 1% or more of the Agent), and managers are listed below:

Patrick F. Doyle, President

South Land Title, LLC is owned 100% by Texan Title Holdings, LLC which is owned 100% by Patrick F. Doyle.

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:

Owner's Policy	<u>\$0.00</u>
Loan Policy	<u>\$0.00</u>
Endorsement Charges	<u>\$0.00</u>
Other	<u>\$0.00</u>
Total	<u>\$0.00</u>

Of this total amount: 15% will be paid to the policy issuing Title Insurance Company; 85% will be retained by the issuing Title Insurance Agent; and the remainder of the estimated premium will be paid to other parties as follows:

<u>Amount</u>	<u>To Whom</u>	<u>For Services</u>
64.71%	Jimmy G. Fox	Closing Services

" \*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."



## COMMITMENT FOR TITLE INSURANCE (Form T-7)

### TEXAS TITLE INSURANCE INFORMATION

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 pérdidas 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 of 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, ensure 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 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

Texan Title Insurance Company

Premium Amount	Rate Rules	Property Type	County Code	Liability at Reissue Rate			
1	2	3 3	4 201	5	6	7	8



**DISCLOSURE TO SELLER, BUYER/BORROWER ABOUT**  
**PATRICK F. DOYLE AND DOYLE LAW FIRM, PLLC**

**I. REPRESENTATION OF INTERESTS**

In connection with the transaction you are closing today, a document of conveyance and/or curative documents have been prepared on behalf of Seller and Buyer/Borrower, and/or a loan has been obtained from a lending institution (or individual owner under an owner-finance) to finance all or part of the purchase price of Borrower's property, or to refinance an earlier loan made to Borrower, or which Borrower assumed, that is secured on the subject property. Seller, Buyer/Borrower or and/or lender is using the services of the law firm of **DOYLE LAW FIRM, PLLC** in the preparation of various legal instruments and loan documents in connection with this transaction, and you must pay for such services. By signing below, Borrower is acknowledging that **DOYLE LAW FIRM, PLLC** has not represented Borrower's interests or given Borrower any legal advice concerning the contract to sell and purchase the property, if applicable, or otherwise related to the property or to the legal instruments and loan documents executed in connection with the home loan transaction or the closing of the transaction itself.

**II. RELATIONSHIP OF PATRICK F. DOYLE AND DOYLE LAW FIRM, PLLC**

**PATRICK F. DOYLE** is the sole owner of the law firm of **DOYLE LAW FIRM, PLLC**.

**III. RELATIONSHIP OF TITLE COMPANY AND PATRICK F. DOYLE**

**PATRICK F. DOYLE** is the sole owner of **Texan Title Holdings, LLC**, which is the parent company of

**IV. RELATIONSHIP OF TAX SERVICE PROVIDER AND PATRICK F. DOYLE**

**PATRICK F. DOYLE** is the sole owner of **Realty Tax Search, Inc.**, which provides ad valorem tax searches and collects, stores and disseminates real estate information regarding your transaction and a standard fee for services related thereto.

**VI. FREEDOM TO HIRE A LAWYER**

By signing below, each party hereto acknowledges that they have had the opportunity to consult independent counsel or hire an attorney to represent them regarding this transaction and its consequences.

**VII. OBLIGATION TO PAY LEGAL FEES**

By signing below, each party acknowledges that they must pay at the time of closing, or on demand, the legal fees of **DOYLE LAW FIRM, PLLC** as each party may have agreed to pay in the contract of sale and purchase or in the loan application or any other document they may have signed. The charges for the services of **DOYLE LAW FIRM, PLLC** are set forth on the closing statement or settlement statement furnished by the closing agent. You have not been charged any fee for preparation of any Truth-in-Lending Statement or RESPA Good Faith Estimate of closing costs. Attached hereto as **Exhibit "A"** and incorporated herein is **PATRICK F. DOYLE's** Affiliated Business Arrangement Disclosure Statement, which sets forth **DOYLE LAW FIRM, PLLC's** relationship to **PATRICK F. DOYLE** and Settlement Service Charge or range of charges.

**VIII. DESCRIPTION OF LEGAL SERVICES**

In representing the lender's interest in this loan transaction, **DOYLE LAW FIRM, PLLC** provided a variety of services of a legal nature. **DOYLE LAW FIRM, PLLC** reviews as necessary the sales contract, survey, title report or commitment of title insurance, various documents of record such as restrictions and easements, and typically prepares such instruments as the Note, Deed of Trust, Affidavits and various miscellaneous documents required by the lender.

Furthermore, each party hereto acknowledges that **DOYLE LAW FIRM, PLLC** may have prepared certain documents upon the request of **South Land Title, LLC**, and has not in any manner, undertaken to assist or render legal advice to the undersigned, with respect to this transaction. The attorney preparing the documents represents **South Land Title, LLC**.

Each party hereto has been provided with an opportunity to examine the title commitment issued by the title company in this transaction, and are satisfied with the contents of such commitment. Further, each party hereto agrees and understands that this transaction is not "closed" until all disbursements are made on behalf of all parties. In the event there are any additional charges for anyone furnishing services, requiring payoff, or by any taxing authority, each party hereto will pay such charges upon written request.

The undersigned understand and agree that the parties may allocate payment of legal fees between themselves as they may agree.

#### **IX. ACKNOWLEDGEMENT/WHAT SIGNING THIS MEANS**

By signing below, you acknowledge to the lender, **DOYLE LAW FIRM, PLLC** and **PATRICK F. DOYLE** that you have received a copy of this disclosure, that you have read all of the above statements, that you understand them, and that what has been stated in this disclosure is accurate and truthful. Furthermore, you acknowledge that you have read this disclosure form and understand that **PATRICK F. DOYLE** is referring you to purchase the settlement services as described herein on **Exhibit "A"** and may receive a financial or other benefit as the result of this referral.



**EXHIBIT "A"**

**AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE STATEMENT  
NOTICE**

**FROM: PATRICK F. DOYLE**

**GF#: FX2200882**

This is to give you notice that **PATRICK F. DOYLE** has a business relationship with and ownership interest in **REALTY TAX SEARCH, INC.** and **TEXAN TITLE HOLDINGS, LLC**, which is the parent company of **SOUTH LAND TITLE, LLC**. **PATRICK F. DOYLE**, sole owner of the law firm of **DOYLE LAW FIRM, PLLC**, is also the sole owner of **TEXAN TITLE HOLDINGS, LLC**, which is the parent company of **SOUTH LAND TITLE, LLC** (real estate closing services).

Set forth below is the estimated charge or range of charges of the settlement services listed. You are **NOT** required to use the listed providers as a condition for closing your transaction of the subject property. **THERE ARE OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.**

**Provider and Settlement Services Charge or Range of Charges:**

<b>SOUTH LAND TITLE, LLC</b>	(premium fees as set by State Board of Insurance and vary depending on value of transaction and credits available to consumer)
------------------------------	---

**ACKNOWLEDGEMENT**

I/we have read this disclosure form, and understand that Patrick F. Doyle 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.

**SOUTH LAND TITLE, LLC**  
**PRIVACY POLICY**

**PURPOSE OF THIS NOTICE**

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a non-affiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **SOUTH LAND TITLE, LLC**.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you, such as on applications or other forms
- Information about your transactions we secure from our files, or from our affiliates or others
- Information we receive from a consumer reporting agency
- Information that we receive from others involved in your transaction, such as the real estate agent or lender

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT OUR CUSTOMERS OR FORMER CUSTOMERS TO ANYONE, EXCEPT AS PERMITTED BY LAW.

WE RESTRICT ACCESS TO NONPUBLIC PERSONAL INFORMATION ABOUT YOU TO THOSE EMPLOYEES WHO NEED TO KNOW THAT INFORMATION TO PROVIDE THE PRODUCTS OR SERVICES REQUESTED BY YOU OR YOUR LENDER.

WE MAINTAIN PHYSICAL, ELECTRONIC, AND PROCEDURAL SAFEGUARDS THAT COMPLY WITH APPROPRIATE FEDERAL AND STATE REGULATIONS.

NO PERSON, ENTITY OR FIRM WHO IS NOT A PARTY TO YOUR CONTRACT IS PERMITTED TO RECEIVE ANY INFORMATION FROM THIS COMPANY ON ANY MATTER RELATED TO YOUR CONTRACT.



**DOYLE LAW FIRM, PLLC  
PRIVACY POLICY NOTICE**

**PURPOSE OF THIS NOTICE**

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **DOYLE LAW FIRM, PLLC**

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you, such as on applications or other forms
- Information about your transactions we secure from our files, or from our affiliates or others
- Information we receive from a consumer reporting agency
- Information that we receive from others involved in your transaction, such as the real estate agent or lender

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

**APPENDIX D**  
**HISTORICAL AERIAL PHOTOGRAPHS**





COUNTY: HARRIS      STATE: TX  
SCALE: 1"=700'      JOB #: BERG9267  
SOURCE: USDA      DATE: 1939  
INDEX

**TelALL**™  
Corporation  
800.683.0004  
www.telall.net







HARRIS CO.  
SCALE: 1"=700'  
SOURCE: AMS

STATE: TX  
JOB #: BERG9267  
DATE: 10.28.1953

**TeIALL**™  
Corporation  
[www.TeIALL.net](http://www.TeIALL.net)







HARRIS CO.  
SCALE: 1"=700'  
SOURCE: USGS

STATE: TX  
JOB #: BERG9267  
DATE: 10.19.1966

**TelALL**™  
Corporation  
[www.TelALL.net](http://www.TelALL.net)







HARRIS CO.	STATE: TX	<b>TeiALL</b> <sup>TM</sup> Corporation <a href="http://www.TeiALL.net">www.TeiALL.net</a>	N ↑
SCALE: 1"=700'	JOB #: BERG9267		
SOURCE: USGS	DATE: 02.21.1976		





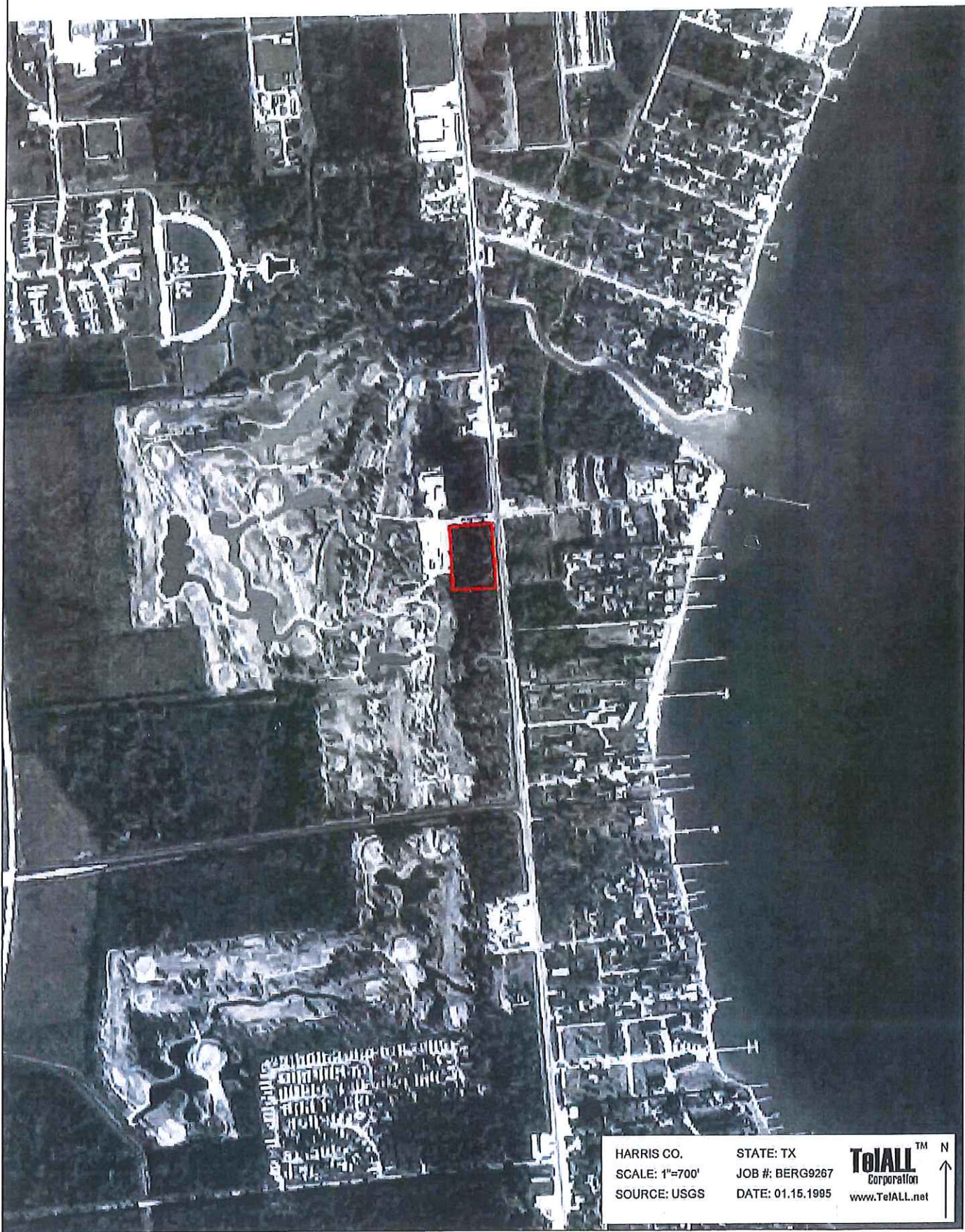
HARRIS CO.  
SCALE: 1"=700'  
SOURCE: TXDOT

STATE: TX  
JOB #: BERG9267  
DATE: 10.09.1989

**TeIALL**™  
Corporation  
[www.TeIALL.net](http://www.TeIALL.net)







HARRIS CO.  
SCALE: 1"=700'  
SOURCE: USGS

STATE: TX  
JOB #: BERG9267  
DATE: 01.15.1995

**TetIALL**<sup>TM</sup>  
Corporation  
[www.TetIALL.net](http://www.TetIALL.net)

N  
↑





HARRIS CO.  
SCALE: 1"=700'  
SOURCE: NAIP

STATE: TX  
JOB #: BERG9267  
DATE: 08.16.2004

**TelALL**<sup>TM</sup>  
Corporation  
[www.TelALL.net](http://www.TelALL.net)

N  
↑





HARRIS CO.  
SCALE: 1"=700'  
SOURCE: NAIP

STATE: TX  
JOB #: BERG9267  
DATE: 09.28.2016

**TelALL**<sup>TM</sup>  
Corporation  
[www.TelALL.net](http://www.TelALL.net)







HARRIS CO.  
SCALE: 1"=700'  
SOURCE: NAIP

STATE: TX  
JOB #: BERG9267  
DATE: 11.18.2020

**TelALL**<sup>TM</sup>  
Corporation  
[www.TelALL.net](http://www.TelALL.net)





N  
4



Projection: WGS 1984  
 GIS Contact: Samuel Cotter (scotter@bergoliver.com)  
 Image Source: Nearmap (2022)

LEGEND	ACRES
<span style="border: 2px solid red; display: inline-block; width: 20px; height: 10px;"></span> Project Boundary	2.1522

**2022 AERIAL PHOTOGRAPH**

Project #: 12853H-P1  
 Client: City of La Porte  
 Location: SW of S Broadway St & Troon Dr  
 La Porte, Harris County, Texas

REVISIONS
11/14/2022 by SCC

**BERG-OLIVER ASSOCIATES, INC.**  
 ENVIRONMENTAL SCIENCE & LAND USE CONSULTANTS  
 14701 ST. MARY'S LANE, SUITE 400  
 HOUSTON, TEXAS 77079 PHONE (281)589-0898 <http://www.bergoliver.com>







HISTORICAL FIRE INSURANCE MAP RESEARCH	
ES-141037	November 7, 2022



## RESEARCH PROTOCOL

*Banks Environmental Data, Inc. (Banks) has completed your research request to ascertain the likelihood of Fire Insurance Map coverage for the above site. This document reports that Digital Fire Insurance Maps at the Library of Congress have been reviewed based on client-supplied information. The Library of Congress' collection includes all maps submitted to the Library through copyright deposit and a set of maps transferred to the Library from the Bureau of the Census. Maps from the Bureau of the Census include corrections issued by the Sanborn Company that were pasted over the original map sheet. Maps acquired through copyright deposit remain in their original form.*

***No Fire Insurance Maps depicting the target property were identified.***



**APPENDIX E**  
**HISTORICAL FIRE INSURANCE MAPS**

HISTORICAL FIRE INSURANCE MAP RESEARCH	
ES-141037	November 7, 2022



## COPYRIGHT POLICY & DISCLAIMER

*This report is solely for the limited use of the client and its customers. Sanborn is a registered trademark. Banks Environmental Data, Inc. makes no warranties as to accuracy, validity, completeness, merchantability, quality, condition, suitability or fitness for a particular use or purpose in respect to this report and any information contained herein. All risk is assumed by the user. Banks Environmental Data, Inc. assumes no liability to any party for loss or damage whether arising out of errors or omissions, negligence, accident, or any other cause. In no event shall Banks Environmental Data, Inc., its affiliates or agents, be liable to anyone for special incidental, consequential or exemplary damages.*



**APPENDIX F**  
**HISTORICAL CITY DIRECTORIES**



---

## CITY DIRECTORY

**Project Property:** *City of La Porte  
City of La Porte  
La Porte, TX*

**Project No:** *BOA #12853H-P1*

**Requested By:** *Berg-Oliver Associates, Inc.*

**Order No:** *22110400690*


**Date Completed:** *November 07, 2022*

**Environmental Risk Information Services**

*A division of Glacier Media Inc.*

1.866.517.5204 | [info@erisinfo.com](mailto:info@erisinfo.com) | [erisinfo.com](http://erisinfo.com)





November 07, 2022  
RE: CITY DIRECTORY RESEARCH  
City of La Porte  
La Porte, TX

Thank you for contacting ERIS for an City Directory Search for the site described above. Our staff has conducted a reverse listing City Directory search to determine prior occupants of the subject site and adjacent properties. We have provided the nearest addresses(s) when adjacent addresses are not listed. If we have searched a range of addresses, all addresses in that range found in the Directory are included.


Note: Reverse Listing Directories generally are focused on more highly developed areas. Newly developed areas may be covered in the more recent years, but the older directories will tend to cover only the "central" parts of the city. To complete the search, we have either utilized the ACPL, Library of Congress, State Archives, and/or a regional library or history center as well as multiple digitized directories. These do not claim to be a complete collection of all reverse listing city directories produced.

ERIS has made every effort to provide accurate and complete information but shall not be held liable for missing, incomplete or inaccurate information. To complete this search we used the general range(s) below to search for relevant findings. If you believe there are additional addresses or streets that require searching please contact us at 866-517-5204.

**Search Criteria:**

1806-2019 of S Broadway St  
ALL of S R Street

**Search Notes:**



## Search Results Summary

Date	Source	Comment
2022	DIGITAL BUSINESS DIRECTORY	
2020	DIGITAL BUSINESS DIRECTORY	
2016	DIGITAL BUSINESS DIRECTORY	
2011	DIGITAL BUSINESS DIRECTORY	
2008	DIGITAL BUSINESS DIRECTORY	
2003	DIGITAL BUSINESS DIRECTORY	
2000	DIGITAL BUSINESS DIRECTORY	
1995-96	COLE	
1989-90	COLE	
1985-86	COLE	
1980	COLE	
1975	COLE	
1970	COLE	
1965	COLE	

## Environmental Risk Information Services

*A division of Glacier Media Inc.*

1.866.517.5204 | [info@erisinfo.com](mailto:info@erisinfo.com) | [erisinfo.com](http://erisinfo.com)





**2022**

**S BROADWAY ST**

SOURCE: DIGITAL BUSINESS DIRECTORY

1806 ALEX NACOL...RESIDENTIAL  
1810 CECIL BOWEN...RESIDENTIAL  
1818 GEORGE KING...RESIDENTIAL  
1822 SONYA GONZALEZ...RESIDENTIAL

**2022**

**S R STREET**

SOURCE: DIGITAL BUSINESS DIRECTORY

1900 BAY FOREST GOLF COURSE...GOLF EQUIPMENTREPAIRING & REFINISHING  
1900 BAY FOREST GOLF COURSE...GOLF PRACTICE RANGES

2020

**S BROADWAY ST**

SOURCE: DIGITAL BUSINESS DIRECTORY

1810 CECIL BOWEN...RESIDENTIAL  
1818 GEORGE KING...RESIDENTIAL  
1822 MARIA GONZALEZ...RESIDENTIAL

2020

**S R STREET**

SOURCE: DIGITAL BUSINESS DIRECTORY

1900 BAY FOREST GOLF COURSE...GOLF PRACTICE RANGES  
1900 BAY FOREST GOLF COURSE...GOLF EQUIPMENTREPAIRING & REFINISHING



**2016**

**S BROADWAY ST**

SOURCE: DIGITAL BUSINESS DIRECTORY

1810 CECIL BOWEN...RESIDENTIAL  
1818 GEORGE KING...RESIDENTIAL  
1822 MARIA GONZALEZ...RESIDENTIAL  
1822 SONYA GONZALEZ...RESIDENTIAL

**2016**

**S R STREET**

SOURCE: DIGITAL BUSINESS DIRECTORY

1900 BAY FOREST GOLF COURSE...GOLF PRACTICE RANGES

**2011****S BROADWAY ST**

SOURCE: DIGITAL BUSINESS DIRECTORY

1806 JOHN WATERS...RESIDENTIAL  
1810 CECIL BOWEN...RESIDENTIAL  
1822 ALICIA FOERSTER...RESIDENTIAL  
1822 NORMAN FOERSTER...RESIDENTIAL  
1831 DORIAN ROCHA...RESIDENTIAL  
1831 FLOR ROCHA...RESIDENTIAL

**2011****S R STREET**

SOURCE: DIGITAL BUSINESS DIRECTORY

102 CHARLES LAWRENCE...RESIDENTIAL  
777 ANGELEQUE HOOKER...RESIDENTIAL  
777 D WENDT...RESIDENTIAL



**2008 S BROADWAY ST**

SOURCE: DIGITAL BUSINESS DIRECTORY

1831 RUFINO ROCHA...RESIDENTIAL

**2008 S R STREET**

SOURCE: DIGITAL BUSINESS DIRECTORY

112 total records. Part 1 of 2

102 C LAWRENCE...RESIDENTIAL  
777 ALICIA WHITEHEAD...RESIDENTIAL  
777 AMANDA CANTU...RESIDENTIAL  
777 ANNETTE DAVIS...RESIDENTIAL  
777 B & K J KIRKLEY...RESIDENTIAL  
777 B D PERRY...RESIDENTIAL  
777 B HOWARD...RESIDENTIAL  
777 BARBARA HOWARD...RESIDENTIAL  
777 BILLY JAMES...RESIDENTIAL  
777 BRAD & CHRISTI LEWIS...RESIDENTIAL  
777 C NIGGEMYER...RESIDENTIAL  
777 CARLTON & TONYA WILLIAMS...RESIDENTIAL  
777 CARRIE ROOKS...RESIDENTIAL  
777 CHARLIE M PERRY...RESIDENTIAL  
777 CHERI LANIZ...RESIDENTIAL  
777 CHRIS G PHILLIPS...RESIDENTIAL  
777 CHRISTOPHER P SULLIVAN...RESIDENTIAL  
777 CINDY SHIELDS...RESIDENTIAL  
777 CINDY TANNEHILL...RESIDENTIAL  
777 CRENSENCIANO GROCE...RESIDENTIAL  
777 D N BULLARD...RESIDENTIAL  
777 DANIELLE MCKENZIE...RESIDENTIAL  
777 DARRYL CARTER...RESIDENTIAL  
777 DEIDRA RUSSELL...RESIDENTIAL  
777 DELIA ZAPATA...RESIDENTIAL  
777 DEMITROUS EDWARDS...RESIDENTIAL  
777 DIANA L ROBERTSON...RESIDENTIAL  
777 DIANNE DEARMOND...RESIDENTIAL  
777 DONNA VILLALOBOS...RESIDENTIAL  
777 E DUTTON...RESIDENTIAL  
777 ERIN LEWIS...RESIDENTIAL  
777 ERNESTINE CLINE...RESIDENTIAL  
777 ESTHER COLLINS...RESIDENTIAL  
777 EVA M MERJIL...RESIDENTIAL  
777 FIDEL JR GARCIA...RESIDENTIAL  
777 FLORA WALKER...RESIDENTIAL  
777 FLORENDA ALMANZA...RESIDENTIAL  
777 FRANCIS LUKE...RESIDENTIAL  
777 GEORGE B RUSH...RESIDENTIAL  
777 GIGI COLLINS...RESIDENTIAL  
777 GWENDOLYN MOORE...RESIDENTIAL  
777 HEATHER SISTOS...RESIDENTIAL  
777 HELEN URIBE...RESIDENTIAL  
777 HUGH BAYNE...RESIDENTIAL  
777 INETA DAVIS...RESIDENTIAL  
777 J D JR SPARKS...RESIDENTIAL  
777 J W FOSTER...RESIDENTIAL  
777 JANETTE HUCKABY...RESIDENTIAL  
777 JEANNE FORD...RESIDENTIAL  
777 JIM & VIRGINIA NELSON...RESIDENTIAL  
777 JODIE JOHNSON...RESIDENTIAL  
777 JOSEPH THIBODEAUX...RESIDENTIAL  
777 JUSTIN AARON...RESIDENTIAL  
777 K DOUGHTY...RESIDENTIAL  
777 K J BRUYERE...RESIDENTIAL  
777 K LAWLER...RESIDENTIAL  
777 K WARREN...RESIDENTIAL  
777 KAREN J BRUYERE...RESIDENTIAL  
777 KARIM K PUNJWANI...RESIDENTIAL  
777 KATIE HORTON...RESIDENTIAL  
777 KENNER SNEED...RESIDENTIAL  
777 KENT HOLLAND...RESIDENTIAL  
777 KIMBERLY MILLAR...RESIDENTIAL  
777 L J LOTT...RESIDENTIAL  
777 LAWANDA BRIGHTMAN...RESIDENTIAL  
777 LESLIE KAYE...RESIDENTIAL  
777 LINDA PUNJWANI...RESIDENTIAL  
777 LINDA R MOORE...RESIDENTIAL

**2008****S R STREET**

SOURCE: DIGITAL BUSINESS DIRECTORY

Part 2 of 2

777 M ALANIZ...RESIDENTIAL  
777 MARIA LONGORIA...RESIDENTIAL  
777 MARIA SIFUENTES...RESIDENTIAL  
777 MARK BLAKENEY...RESIDENTIAL  
777 MARY MENDEZ...RESIDENTIAL  
777 MELANIE WOODARD...RESIDENTIAL  
777 MELISSA MOUTON...RESIDENTIAL  
777 MELONIE WOODARD...RESIDENTIAL  
777 MICHAEL & CHRISTINA HORTON...RESIDENTIAL  
777 MICHEAL LOZANO...RESIDENTIAL  
777 MYRA CANTU...RESIDENTIAL  
777 NAGILA BRIGHT...RESIDENTIAL  
777 NORMA ZATARAIN...RESIDENTIAL  
777 OCTAVIA FLORA...RESIDENTIAL  
777 PAMELA FLYNN...RESIDENTIAL  
777 PAMELA WATSON...RESIDENTIAL  
777 PEARL BAUMAN...RESIDENTIAL  
777 R BROWN...RESIDENTIAL  
777 R SHARP...RESIDENTIAL  
777 R W WILLIAMSON...RESIDENTIAL  
777 REGINA MARCHAN...RESIDENTIAL  
777 RITA AGUILLON...RESIDENTIAL  
777 ROBERT M JOHNSON...RESIDENTIAL  
777 RONALD BUJAN...RESIDENTIAL  
777 RONNIE WOOLEVER...RESIDENTIAL  
777 ROSE CASTILLO...RESIDENTIAL  
777 SALIM QUADRI...RESIDENTIAL  
777 SANDRA MORALES...RESIDENTIAL  
777 SCARLET REISEWITZ...RESIDENTIAL  
777 SELENI LAUNIUVAO...RESIDENTIAL  
777 SHANNON BRADLEY...RESIDENTIAL  
777 SHEILA J PERKINS...RESIDENTIAL  
777 SOLEDAD NOWALK...RESIDENTIAL  
777 SONJA TORRES...RESIDENTIAL  
777 TAMMI MOORE...RESIDENTIAL  
777 TERESA SCRIBNER...RESIDENTIAL  
777 TRACY LOESCH...RESIDENTIAL  
777 TRACY SERNA...RESIDENTIAL  
777 UVONDA JOHUICAN...RESIDENTIAL  
777 VANCE WILLIAMS...RESIDENTIAL  
777 VERONICA MOLINA...RESIDENTIAL  
777 WENDY VAUGHAN...RESIDENTIAL  
777 WILLIAM LOCKETT...RESIDENTIAL

**2003****S BROADWAY ST**

SOURCE: DIGITAL BUSINESS DIRECTORY

NO LISTING FOUND



777 BEAUF DARRELL L LE...RESIDENTIAL  
777 BETTY MOORE...RESIDENTIAL  
777 CHANTELL COLEMAN...RESIDENTIAL  
777 CURTIS BAILEY...RESIDENTIAL  
777 CYNTHIA GARCIA...RESIDENTIAL  
777 D E CLUPKA...RESIDENTIAL  
777 D J LLAMAS...RESIDENTIAL  
777 D JACKSON...RESIDENTIAL  
777 D N BULLARD...RESIDENTIAL  
777 DANIEL CAVAZOS...RESIDENTIAL  
777 DANIEL N LONGORIA...RESIDENTIAL  
777 DAVE WRIGHT...RESIDENTIAL  
777 DAVID GILLUM...RESIDENTIAL  
777 DIANA COOK...RESIDENTIAL  
777 DOMITILA BARRON...RESIDENTIAL  
777 E CLINE...RESIDENTIAL  
777 E M LEWIS...RESIDENTIAL  
777 E M MCKEEN...RESIDENTIAL  
777 ERNEST R BURGE...RESIDENTIAL  
777 FLORENCE COLLINS...RESIDENTIAL  
777 FRANCISCA HERNANDEZ...RESIDENTIAL  
777 GARLAND R VANDYKE...RESIDENTIAL  
777 GILBERT SALINAS...RESIDENTIAL  
777 I CURETTE...RESIDENTIAL  
777 IRMA FLETCHER...RESIDENTIAL  
777 J EDWARDS...RESIDENTIAL  
777 J W FOSTER...RESIDENTIAL  
777 JACKLYN JONES...RESIDENTIAL  
777 JANETTE HUCKABY...RESIDENTIAL  
777 JESSIE FERGUSON...RESIDENTIAL  
777 K GOFF...RESIDENTIAL  
777 KATHYRN L COLEMAN...RESIDENTIAL  
777 L MOORE...RESIDENTIAL  
777 LISA QADIR...RESIDENTIAL  
777 LISA RAE LISTER...RESIDENTIAL  
777 MARIAN R WILLIAMS...RESIDENTIAL  
777 MARIE BROOKS...RESIDENTIAL  
777 MICHAEL JR GRIFFITH...RESIDENTIAL  
777 MIKE CHAVEZ...RESIDENTIAL  
777 N MONTGOMERY...RESIDENTIAL  
777 NICOLE HATTER...RESIDENTIAL  
777 OCTAVIO JR FRAUSTO...RESIDENTIAL  
777 OLGA G GONZALEZ...RESIDENTIAL  
777 PATRICIA G HAYES...RESIDENTIAL  
777 PAUL S SORRELS...RESIDENTIAL  
777 PAULINO BARRON...RESIDENTIAL  
777 PEARL BAUMAN...RESIDENTIAL  
777 R W WILLIAMSON...RESIDENTIAL  
777 RAMON MORALES...RESIDENTIAL  
777 RAMONA JOHNSON...RESIDENTIAL  
777 REBECCA L CREEL...RESIDENTIAL  
777 RICK & RITA MOORE...RESIDENTIAL  
777 ROBERT M JOHNSON...RESIDENTIAL  
777 ROBIN H GREGORY...RESIDENTIAL  
777 RUBY SINGLETON...RESIDENTIAL  
777 RUTH BROWNE...RESIDENTIAL  
777 S MARIN...RESIDENTIAL  
777 SOLEDAD NOWALK...RESIDENTIAL  
777 STEVEN CARTER...RESIDENTIAL  
777 SUSAN DURST...RESIDENTIAL  
777 TERRI GERFERS...RESIDENTIAL  
777 VAUGHN B BARTON...RESIDENTIAL  
777 VIRGINIA MCDONALD...RESIDENTIAL  
777 VISTA BAYWOOD APARTMENTS  
777 WALTER ARNOLD...RESIDENTIAL  
777 WENDY HUDSON...RESIDENTIAL

NO LISTING FOUND

777 BEAUF DARRELL L LE...RESIDENTIAL  
777 BETTY MOORE...RESIDENTIAL  
777 CHANTELL COLEMAN...RESIDENTIAL  
777 CURTIS BAILEY...RESIDENTIAL  
777 CYNTHIA GARCIA...RESIDENTIAL  
777 D E CLUPKA...RESIDENTIAL  
777 D J LLAMAS...RESIDENTIAL  
777 D JACKSON...RESIDENTIAL  
777 D N BULLARD...RESIDENTIAL  
777 DANIEL CAVAZOS...RESIDENTIAL  
777 DANIEL N LONGORIA...RESIDENTIAL  
777 DAVE WRIGHT...RESIDENTIAL  
777 DAVID GILLUM...RESIDENTIAL  
777 DIANA COOK...RESIDENTIAL  
777 DOMITILA BARRON...RESIDENTIAL  
777 E CLINE...RESIDENTIAL  
777 E M LEWIS...RESIDENTIAL  
777 E M MCKEEN...RESIDENTIAL  
777 ERNEST R BURGE...RESIDENTIAL  
777 FLORENCE COLLINS...RESIDENTIAL  
777 FRANCISCA HERNANDEZ...RESIDENTIAL  
777 GARLAND R VANDYKE...RESIDENTIAL  
777 GILBERT SALINAS...RESIDENTIAL  
777 I CURETTE...RESIDENTIAL  
777 IRMA FLETCHER...RESIDENTIAL  
777 J EDWARDS...RESIDENTIAL  
777 J W FOSTER...RESIDENTIAL  
777 JACKLYN JONES...RESIDENTIAL  
777 JANETTE HUCKABY...RESIDENTIAL  
777 JESSIE FERGUSON...RESIDENTIAL  
777 K GOFF...RESIDENTIAL  
777 KATHYRN L COLEMAN...RESIDENTIAL  
777 L MOORE...RESIDENTIAL  
777 LISA QADIR...RESIDENTIAL  
777 LISA RAE LISTER...RESIDENTIAL  
777 MARIAN R WILLIAMS...RESIDENTIAL  
777 MARIE BROOKS...RESIDENTIAL  
777 MICHAEL JR GRIFFITH...RESIDENTIAL  
777 MIKE CHAVEZ...RESIDENTIAL  
777 N MONTGOMERY...RESIDENTIAL  
777 NICOLE HATTER...RESIDENTIAL  
777 OCTAVIO JR FRAUSTO...RESIDENTIAL  
777 OLGA G GONZALEZ...RESIDENTIAL  
777 PATRICIA G HAYES...RESIDENTIAL  
777 PAUL S SORRELS...RESIDENTIAL  
777 PAULINO BARRON...RESIDENTIAL  
777 PEARL BAUMAN...RESIDENTIAL  
777 R W WILLIAMSON...RESIDENTIAL  
777 RAMON MORALES...RESIDENTIAL  
777 RAMONA JOHNSON...RESIDENTIAL  
777 REBECCA L CREEL...RESIDENTIAL  
777 RICK & RITA MOORE...RESIDENTIAL  
777 ROBERT M JOHNSON...RESIDENTIAL  
777 ROBIN H GREGORY...RESIDENTIAL  
777 RUBY SINGLETON...RESIDENTIAL  
777 RUTH BROWNE...RESIDENTIAL  
777 S MARIN...RESIDENTIAL  
777 SOLEDAD NOWALK...RESIDENTIAL  
777 STEVEN CARTER...RESIDENTIAL  
777 SUSAN DURST...RESIDENTIAL  
777 TERRI GERFERS...RESIDENTIAL  
777 VAUGHN B BARTON...RESIDENTIAL  
777 VIRGINIA MCDONALD...RESIDENTIAL  
777 VISTA BAYWOOD APARTMENTS  
777 WALTER ARNOLD...RESIDENTIAL  
777 WENDY HUDSON...RESIDENTIAL

RANGE NOT LISTED



**1995-96 S R STREET**

SOURCE: COLE

713	717 NP
777	BARRON BIDRS & MGMT
777	VISTA BAYWOOD APT
777	VISTA BAYWOOD APTS
1900	BAY FRST GOLF CRS
1900	LAPORTE CTY HON

**1989-90 S BROADWAY ST**

SOURCE: COLE

1727	AL PENNISON DISTRI
2011	L ROBERTS
2019	JAN CRAMER
2111	CHUCK DAVIS
2111	JM CARPENTER

**1989-90 S R STREET**

SOURCE: COLE

201	BUILDERS CONSTR
717	NP
777	BARRON BIDR & MAG
777	EVA J WITHERELL
777	GEORGE B RUSH
777	INTL EAGLE ONE CRP
777	JACK W YOUNG
777	VISTA BAYWD APTS
777	VISTA BAYWOOD APTS
1900	BAY FOREST GH CRS
1900	CITY MUNI GOLF CRS

**1985-86 S BROADWAY ST**

SOURCE: COLE

RANGE NOT LISTED



**1985-86 S R STREET**

SOURCE: COLE

102 BERDON LAWRENCE  
713 717 NP  
777 MULTI TENANT RESIDENTIAL

**1980 S BROADWAY ST**

SOURCE: COLE

RANGE NOT LISTED

**1980**

**S R STREET**

SOURCE: COLE

102 WILLIAM MACE  
713 717 NP  
777 MULTI TENANT RESIDENTIAL

**1975**

**S BROADWAY ST**

SOURCE: COLE

RANGE NOT LISTED



**1975**      **S R STREET**

SOURCE: COLE

713      SCOTT ROBERTS  
717      NP  
777      MULTI TENANT RESIDENTIAL

**1970**      **S BROADWAY ST**

SOURCE: COLE

RANGE NOT LISTED

**1970**

**S R STREET**

SOURCE: COLE

RANGE NOT LISTED

**1965**

**S BROADWAY ST**

SOURCE: COLE

RANGE NOT LISTED



1965

S R STREET

SOURCE: COLE

RANGE NOT LISTED

**APPENDIX G**  
**OIL AND GAS E&P WELL INFORMATION**




N  
4

1442



Image Source: Edgar Tobin Aerial Surveys  
 Wells Posted: May 14, 1999  
 Survey Map No: 4S-40E  
 Projection: WGS 1984  
 GIS Contact: Tonya Blccs (tblccs@bergoliver.com)

0 500 Feet

LEGEND	ACRES
 Project Boundary	2.1522

**TOBIN OIL AND GAS REGIONAL SURVEY MAP**

Project #: 12853H-P1  
 Client: City of La Porte  
 Location: SW of S.R. Street and South Broadway  
 La Porte, Harris County, Texas

REVISIONS
11/14/2022 by TMB

**BERG ♦ OLIVER ASSOCIATES, INC.**  
 ENVIRONMENTAL SCIENCE & LAND USE CONSULTANTS  
 14701 ST. MARY'S LANE, SUITE 400  
 HOUSTON, TEXAS 77079 PHONE (281) 582-9350 <http://www.bergoliver.com>



**APPENDIX H**  
**SITE PHOTOGRAPHS**





**Photo 1:** Property frontage along South Broadway Street.



**Photo 2:** Typical view of property interior.



**Photo 3:** Adjacent golf course maintenance shop.



**Photo 4:** North property line.





**Photo 5:** Adjoining golf course parking lot.



**Photo 6:** Typical view across golf course.



**Photo 7:** South property line.



**Photo 8:** Typical view of adjoining residential properties to the south.



## **APPENDIX I**

### **OWNER/OCCUPANT QUESTIONNAIRE AND INTERVIEW DOCUMENTATION**



# BERG & OLIVER ASSOCIATES, INC.

Environmental Science & Land Use Consultants

14701 St. Mary's Lane, Suite 400

Houston, Texas 77079

(281) 589-0898 fax: (281) 589-0007

## PHASE I ENVIRONMENTAL SITE ASSESSMENT OWNER/OCCUPANT INQUIRY

BOA Project # 12853H-P1

Dear Owner/Occupant:

Our firm is conducting a Phase I Environmental Site Assessment for the subject property described below. This assessment is being conducted in accordance with ASTM Standard Practice E 1527-13 for Environmental Site Assessments. Pursuant to the Standard, we are required to interview the owner and/or occupant as part of our investigation of the current and past uses of the property.

Please complete the following questionnaire and return it to our office as soon as possible. We ask that you answer each question to the best of your actual knowledge. "Yes" answers should be accompanied by a brief explanation wherever possible. If you have additional comments or statements that you feel may be relevant to this assessment, a comments section is available on the last page of the questionnaire. If you have documentation, reports, or other third-party information that you would like to provide, please attach any such items to the questionnaire upon return. If you have any questions or need additional guidance in completing this form, please contact our office at the above number. Thank you for your assistance.

Sincerely,

Berg & Oliver Associates, Inc.

Disclosure: You are not bound by any laws or regulations to answer the questions contained herein. This questionnaire is included to assist Berg Oliver Associates, Inc. in gathering reasonable ascertainable information that relates to the performance of this Phase I Environmental Site Assessment under the ASTM E 1527-13 Standard, and does not constitute an admission of liability to, or for, any recognized environmental conditions or impairments in connection with the subject property.

SITE NAME:

CURRENT OWNER:

DESCRIPTION:

LOCATION:

AUTHORIZED BY:

Bik 1254, 0 Broadway, LaPorte, TX 77571  
EST OF FCHERRINGTON WEGMS / MA WEGMS EX MDT  
Approx. 2 AC. Bik 1254 / City  
of LaPorte, TX  
0 Broadway LaPorte TX 77571

1. Is the property or any adjoining property used for industrial use?

Yes

No

Unknown

2. To the best of your knowledge, has the property or any adjoining property been used for an industrial use in the past?

Yes

No

Unknown



3. Is the property or any adjoining property used 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?

Yes

No

Unknown

4. To the best of your knowledge, has the property or any adjoining property 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 center?

Yes

No

Unknown

5. Are there currently, or to the best of your knowledge have there been previously, any damaged or discarded automotive or industrial batteries, or pesticides, paints, or other chemicals in individual containers of greater than 5 gallons (19 liters) in volume or 50 gallons in the aggregate, stored on or used at the property or at the facility?

Yes

No

Unknown

6. Are there currently, or to the best of your knowledge have there been previously, any industrial drums (typically 55 gallons [208 L]) or sacks of chemicals located on the property or at the facility?

Yes

No

Unknown

7. Has fill dirt been brought onto the property that originated from a contaminated site or that is of unknown origin?

Yes

No

Unknown

8. Are there currently, or to the best of your knowledge have there been previously, any pits, ponds, or lagoons located on the property in connection with waste treatment or waste disposal?

Yes

No

Unknown

9. Is there currently, or to the best of your knowledge has there been previously, any stained soil on the property?
- Yes      No      Unknown
- 
- 
10. Are there currently, or to the best of your knowledge have there been previously, any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the property or adjacent to any structure located on the property?
- Yes      No      Unknown
- 
- 
11. Are there currently, or to the best of your knowledge have there been previously, any registered or unregistered storage tanks (above or underground) located on the property?
- Yes      No      Unknown
- 
- 
12. Are there currently, or to the best of your knowledge have there been previously, any flooring, drains, or walls located within the facility that are stained by substances other than water or are emitting foul odors?
- Yes      No      Unknown
- 
- 
13. If the property is served by a private well or non-public water system, have contaminants been identified in the well or system that exceed guidelines applicable to the water system or has the well been designated as contaminated by any governmental environmental/health agency?
- Yes      No      Unknown
- 
- 
14. Do you have any knowledge of environmental liens or government notification relating to past or recurrent violations of environmental laws with respect to the property or any facility located on the property?
- Yes      No      Unknown
- 
- 
15. Have you been informed of the past or current existence of hazardous substances or petroleum products or environmental violations with respect to the property or any facility located on the property?
- Yes      No      Unknown
- 
-

16. Do you 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?

Yes No Unknown

17. Do you know of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any hazardous substances or petroleum products involving the property by any owner or occupant of the property?

Yes No Unknown

18. Does the property discharge waste water on or adjacent to the property other than storm water into a sanitary sewer system?

Yes No Unknown

19. To the best of your knowledge, have 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?

Yes No Unknown

20. To the best of your knowledge, is there a transformer, capacitor, or any hydraulic equipment for which there are any records indicating the presence of PCBs?

Yes No Unknown

21. Based on your knowledge and experience of the property are there any obvious indicators that point to the presence or likely presence of releases at the property?

ADDITIONAL COMMENTS:

*As a Fiduciary owner, we have extremely limited understanding or knowledge of the property, its history, and/or usage.*



This questionnaire was completed by:

NAME Monk Herrin  
TITLE Sr. Vice President  
FIRM Houston Truss Co., Inc.  
ADDRESS 3737 Buffalo Springs Rd. Ste 100  
Houston, TX 77078  
PHONE NUMBER 713.715.5176  
DATE 11/7/22  
SIGNATURE M. Herrin

Co-Exec. Est. of  
F. Conington & Sons

This questionnaire was reviewed by:

NAME Ben Price  
TITLE P.E.  
FIRM Berg-Oliver Associates, Inc.  
ADDRESS 14701 Saint Mary's Lane, Suite 400  
Houston, Texas 77079  
PHONE NUMBER (281) 589-0898  
DATE Nov. 29, 2022  
SIGNATURE B. Price

Copies of the completed questionnaire have been filed at Berg ♦ Oliver Associates, Inc.

## **Tonya Biccs**

---

**From:** Tonya Biccs  
**Sent:** Friday, November 4, 2022 11:21 AM  
**To:** 'jtobin@stancreechproperties.com'  
**Subject:** BOA #12853H-P1 (Owner Occupant Questionnaire)  
**Attachments:** 12853\_2022.pdf; OOINQ-2013Std\_Updated 2018.doc

Mr. Tobin,

I am working on a Phase 1 ESA for 2.1522 acres at South Broadway and SR Street. Attached is a questionnaire regarding past and present uses of the subject property. Please fill out questionnaire and return to me via email. If you have any questions please don't hesitate to contact me.

Thank you,

### **Tonya Biccs**

HazMat Coordinator  
Hazardous Materials & Toxic Waste Department

### **Berg-Oliver Associates, Inc.**

Environmental Science & Land Use Consultants

14701 St. Mary's Lane, Suite 400, Houston, TX 77079

O: 281.589.0898 | D: 281.582.9380

[tbiccs@bergoliver.com](mailto:tbiccs@bergoliver.com) | [bergoliver.com](http://bergoliver.com)

[Facebook](#)

## Tonya Biccs

---

**From:** Alaina Alvarado (LaPorte, TX) <LaPorteTX@justfoia.com>  
**Sent:** Friday, November 18, 2022 1:54 PM  
**To:** Tonya Biccs  
**Cc:** CitySecretary@LaPorteTX.gov  
**Subject:** City of La Porte - No Material Responsive

[EXTERNAL EMAIL]

Dear Tonya Biccs - Berg-Oliver Associates, Inc. :

The City of La Porte has no records responsive to this request. The City is noting this request as completed.

Sincerely,  
Alaina Alvarado

Alaina Alvarado  
Sr. Administrative Assistant  
City of La Porte  
604 West Fairmont Parkway  
La Porte, Texas 77571  
281-470-5021

[EXTERNAL EMAIL] Exercise caution. Do not open attachments or click links from unknown senders or unexpected email





## BERG ♦ OLIVER ASSOCIATES, INC.

*Environmental Science & Land Use Consultants*  
14701 St. Mary's Lane, Suite 400, Houston, Texas 77079  
(281) 589-0898 fax: (281) 589-0007  
Houston ♦ Dallas/ Fort Worth ♦ [www.bergoliver.com](http://www.bergoliver.com)

November 8, 2022

La Porte Fire Department Station #4  
2900 S. Broadway Street  
La Porte, Texas 77571

Requestor Name:  
Tonya Biccs  
Berg-Oliver Associates, Inc.  
14701 St. Mary's Lane  
Suite 400  
Houston, Texas 77079

Dear Records Custodian:

Under the Texas Public Information Act, Chapter 552 of the Government code, we request copies of open records for any and all hazardous material response calls to the following location for which we are currently conducting a Phase I Environmental Site Assessment.

We are available to review the documents via email or United States mail at the addresses below, or via fax at (281) 589-0007. We are interested in documents related to the following Key Map coordinate and or address/location:

Harris County Location Map  
Location: SW of SR Street and South Broadway  
La Porte, Harris County, Texas

Our reference No. 12853H-P1

Please provide the information to me at: 14701 St. Mary's Lane, Suite 400, Houston, Texas 77079  
or

Email: [tbiccs@bergoliver.com](mailto:tbiccs@bergoliver.com)

or

Fax: (281) 589-0007

Thank you.

## **Tonya Biccs**

---

**From:** Tonya Biccs  
**Sent:** Tuesday, November 8, 2022 2:50 PM  
**To:** CitySecretary@laportetx.gov  
**Subject:** BOA #12853H-P1 (Open Record Request)  
**Attachments:** 12853\_Location\_Map.pdf; 12853\_2022.pdf; 12853\_Open Record Request.pdf

Hello,

I am working on a Phase 1 ESA for 2.1522 acres located southwest of SR Street and South Broadway. If I am at the right location please review your files to determine if there has been any hazardous material response to the attached location. If I need to contact someone else would you happen to know contact name and email of the contact? If you have any questions please don't hesitate to contact me.

Thank you,

**Tonya Biccs**

HazMat Coordinator  
Hazardous Materials & Toxic Waste Department

**Berg-Oliver Associates, Inc.**

Environmental Science & Land Use Consultants

14701 St. Mary's Lane, Suite 400, Houston, TX 77079

O: 281.589.0898 | D: 281.582.9380

[tbiccs@bergoliver.com](mailto:tbiccs@bergoliver.com) | [bergoliver.com](http://bergoliver.com)

[Facebook](#)

## **APPENDIX J**

### **QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS**



# BENJAMIN PRICE, PG

## VICE PRESIDENT - HAZARDOUS MATERIALS DEPARTMENT



### EDUCATION

1991, Master of Science, Geology Texas A&M University  
1981, Bachelor of Science, Geology, Florida Atlantic University

### PROFESSIONAL LICENSE/AFFILIATIONS

Professional Geoscientist (TX #3423)  
Registered Environmental Manager (REM #10916)  
TxDOT: Certification No. 6550; Pre-certified in 2.3.1, 2.4.1, 2.6.1, and 2.13.1

### SUMMARY OF QUALIFICATIONS

Mr. Price, a Professional Geoscientist, has over 30 years of experience in both business and technical aspects of the environmental industry. Utilizing his extensive background in geological and biological disciplines, he has developed expertise in environmental regulations, property assessments, hazardous waste testing and evaluation, wetland evaluation, endangered species audits, health and safety issues, and silviculture activities. Mr. Price specializes in site investigations relating to hazardous material and petroleum product contamination. His experience with the petroleum industry and contaminated site remediation allows him to effectively consult on cost efficient solutions to environmental impairment concerns. Mr. Price is involved with problem solving related to environmental and ecological issues, especially those that may hinder property transfer, land development activities, or oil and gas activities. He has developed a unique working relationship with many federal and state resource agencies responsible for project permitting and approval. In his tenure at Berg-Oliver has managed or supervised over 300 testing and remediation projects.

### EXPERIENCE

**Trinity Falls Development, 1,700 acres, McKinney, Texas:** Project Supervisor for Phase II and III ESA for properties that have been affected by Volatile Organic Compounds (VOC) for a subdivision development and road alignment. The project is on-going with additional sampling, groundwater monitoring, and proposed subsurface barrier.

**Waterhaven Development, Farmington Road, Humble, Texas:** Project Supervisor for Phase I, II, and III ESA for the removal of approximately 800 lineal feet of abandoned Sunco pipeline in a residential development and to carry out conformation sampling after completion of pipeline removal.

**Grand Vista Development, Radio Detection Survey & Pipeline Removal and Oil & Gas Well Lowering, Richmond, Texas:** Project Supervisor for Phase II Assessments located withing Grand Vista Development. He located an inactive petroleum pipeline through the use of radio detection survey equipment. Activities included execution, hot tap, cut, removal, capping and disposal of the pipe and associated flange. Mr. Price was also responsible for the lower a plugged and abandoned oil and gas well drilled in the 1950's. Soil around the well was excavated to 12 feet. A hot tap was performed to bleed potential gases. The well casing was cut at 11 feet below ground surface. A concrete plug was placed on the top of well and a metal cap welded on the casing.

**Gulf Coast Rail District, West Belt, Houston, Texas:** Project Supervisor for Phase I ESA to determine RECs with potential to adversely affect the proposed project and Limited Phase II ESA to determine impacts to soils and or groundwater within project area and assess potential hindrances related to construction worker exposure, soil and/or groundwater disposal, and liability exposure related to right of way acquisition. Detailed assessment activities and recommendations on managing impacted media during construction into report.

**Chimney Rock Extension to McHard Road, Fort Bend County, Texas:** Professional Geologist who utilized Phase 2 ESA data to assess potential risks to workers during construction activities and to insure proper disposition of excavated soils. No exposure risks found, but excess chloride concentrations affected wetland within right of way. Prepared Voluntary Cleanup Program application and agreement to coordinate soil removal with Railroad Commission of Texas.

**Calhoun Road Area Flood and Drainage Improvements, RPS on behalf of the City of Houston and TXGLO, Harris County, Texas:** Professional Geoscientist who managed preparation of the Phase I ESA and the subsequent Limited

Phase II ESA. The Phase II project site consisted of a former chemical recycling facility (listed as a regulatory Hazardous Waste site) for which the Phase I ESA identified potential RECs. The Phase II was conducted to provide additional environmental support for the GLO/HUD ERR for the CDBG Disaster Recovery funded project. Six soil samples were collected and submitted for laboratory analytical testing. The soil samples were analyzed for total petroleum hydrocarbons, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and 8 RCRA Total Metals. Lead became the disposal consideration for the project; the remaining analytes were determined to be acceptable for reuse or residential use. Based on the results of the Limited Phase II ESA, the soil was anticipated to be considered Class II Waste (City of Houston Category I), and it was recommended that the City's engineer address proper disposal.

**City of Houston - Multiple Drainage and Paving Improvements, and Waterline Replacement Projects:** Mr. Price has managed and/or prepared over sixty (60) Phase I and Phase II ESAs on behalf of the city of Houston. ESA activities have included: new roads, road reconstruction, road and utility reconstruction, waterlines, sanitary sewer lines, storm sewer lines and hike and bike trails.

**Metropolitan Transit Authority (METRO) of Harris County, Texas:** Project Supervisor the Keene Street and North Main Street Phase II ESAs which involved soil and groundwater sampling, installation of borings and completion of monitoring wells. Both sites involved QA/QC review and data validation conducted following TRRP protocols, and soil and groundwater constituent concentrations were compared to Texas Risk Reduction Program Tier 1 Residential PCLs and documented in Site Investigation Report.

**Medistar - Hotel and Apartment Tower - Travis Street, Harris, Texas:** Professional Geologist who utilized Phase 2 data to determine suitability of soils affected by former UST to remain or be re-used on-site, to assess potential construction worker exposure during construction of underground parking, and to insure proper disposition of affected soils. Established Tier 2 site-specific soil PCLs for select metals. Assessed confirmation analytical data after excavation.

**Pearland Manvel Dump Site, Brazoria County District Attorney:** Project Manager responsible for the Phase I Environmental Site Assessment and Phase II Testing. The project involved identifying portions of the site containing hazardous and radioactive liquids within the dumpsite. Groundwater monitoring and testing was conducted to evaluate potential off site transport of contaminants. Groundwater flow directions were determined for purposes of site closure. Recommendations to the PRP were made for future remediation goals to obtain state closure.

**Farias Ranch, Maverick County, Texas:** Conducted environmental site assessment at 100,000 acres ranch. The project involved performing Phase II Testing to identify potential impact. Discovered arsenic impacted soil at 3 historical cattle dipping vats. Remediation of soils at each location was performed an APAR was submitted to the TCEQ and state closure was obtained.



# CHRISTOPHER J. THAYER

## SENIOR ASSOCIATE - HAZARDOUS MATERIALS DEPARTMENT



### EDUCATION

1983-1986, Texas A&M University  
1988-1989, Sam Houston State University

### PROFESSIONAL REGISTRATIONS

Federal Energy Regulatory Commission (FERC) Training and Certification  
National Environmental Policy Act (NEPA) Training and Certification  
Texas Department of Transportation (TxDOT) Certification No. 6549; Pre-certified in 2.13.1

### SUMMARY OF QUALIFICATIONS

Mr. Thayer has a diverse background in environmental assessment and testing, specializing in laboratory analyses and data defensibility. In his 21 years in the environmental field, he has been responsible for NPDES compliance monitoring; cleanups administered through the Air Force Center for Environmental Excellence and U.S. Army Corps of Engineers, and NPL Superfund sites. Mr. Thayer has a broad background in analytical methods for the environmental industry, including volatile and semi-volatile organics, metals, and a variety of classical chemistry methods.

### EXPERT WITNESS

Mr. Thayer has been retained as an Expert Witness in the following cases: For the Defendant in Seyed Hassan Moosavadeen (Plaintiff) vs. Lillian Marian Foote Tigard, et al, Cause No. 761467, County Civil Court at Law Number 1, Harris County, Texas; for the Plaintiff in Silber/I-10 Joint Venture, Ltd., f/k/a Rocksprings, Ltd. (Plaintiff) vs. Falcon Interests Realty Corp., et al, Cause No. 02-CV-0991 in the District Court of Galveston County, Texas; for the Plaintiff in City of Coppell, Texas (Plaintiff) vs. CB Parkway Business Center VI, Ltd. and Trammell Crow Company No. 43, Ltd., Cause No. 05-15940-C, County Court at Law No. 3, Dallas County, Texas; for the Plaintiff in Coppell Independent School District Board of Trustees (Plaintiff) vs. CB Parkway Business Center VI, Ltd. and Trammell Crow Company No. 43, Ltd., Cause No. CC-05-15967-E, County Court at Law No. 5, Dallas County, Texas; and for the Defendant in Darrell Dickey, et al (Plaintiff) vs. Texas Department of Criminal Justice-Institutional Division, Cause No. 21,100, District Court of Harris County, Texas. Mr. Thayer's responsibilities as an Expert Witness have included traditional environmental assessments, as well as review of analytical data, reports, and deposition testimony furnished by the opponent(s). They have also included the production of reports and affidavits for his client(s), as well as deposition and trial testimony and assistance with cross-examination of opponents' experts.

### EXPERIENCE

**Grand Parkway Extension from Highway 290 to US 59 Cobb-Fendley on behalf of Zachry-Odebrecht Parkway Builders and TxDOT, Harris County, Texas:** Project Manager for the Grand Parkway Extension project from Highway 290 to US 59. The subject alignment consisted of approximately 39 miles of proposed rights of way across predominantly unimproved property but included some residential and commercial properties. BOA's scope of work included completion of more than 160 TxDOT Initial Site Assessments (ISA). After completion of ISAs, Phase I Environmental Site Assessments (ESA) were performed for properties identified as warranting a more comprehensive investigation. Phase II ESAs were then performed for properties identified in the ISAs and/or Phase I ESAs. BOA's scope of work also included coordination with Cobb-Fendley, ZOPB, and TxDOT, as well as coordination and oversight of BOA subcontractors. Reports were delivered in the electronic format specified by ZOPB. Mr. Thayer's duties included coordination of field activities, QA/QC of all documents, and production of electronic deliverables.

**Market Street Utility and Paving Replacement, AECOM on behalf of TXGLO, Galveston County, TX:** Project Coordinator for a Phase I and II Assessment under the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program. Scope of work included development of the Environmental Records Review (ERR) for a categorical exclusion. Project consisted of approximately 1.38 miles of existing ROW along Market Street. Mr. Thayer's duties included performance of a Phase I ESA to identify potential recognized environmental conditions (RECs)



**CHRISTOPHER THAYER**  
**SENIOR ASSOCIATE**

with potential to affect the proposed project, performance of a Phase II ESA to assess soil and groundwater conditions within the project area, and completion of Phase I and Phase II ESA reports at the completion of field activities. Mr. Thayer also obtained necessary permits from the City of Galveston prior to conducting the Phase II ESA.

**Avenue S, 51st Street, Saladia Street, and Sealy Avenue Paving and Utility Replacement, Binkley & Barfield on behalf of TXGLO, Galveston County, TX:** Project Coordinator for a Phase I and II Assessment under the HUD CDBG program. Scope of work included development of the ERR for a categorical exclusion. Project consisted of existing ROW along the following four roadways: Avenue S, 51st Street, Saladia Street, and Sealy Avenue, in Galveston. Mr. Thayer's duties included conducting Phase I ESA to identify potential RECs with potential to affect the proposed project, performance of a Phase II ESA to assess soil and groundwater conditions within the project area, and completion of Phase I and Phase II ESA reports at the completion of field activities. Mr. Thayer also obtained necessary permits from the City of Galveston prior to conducting the Phase II ESA.

**Proposed Surface Water Distribution System, Five Separate Alignments Dannenbaum Engineering on behalf of West Harris County Regional Water Authority (WHCRWA), Harris County, Texas:** Project Manager for performance of the hazardous materials assessment portion for acquisition of right of way for a proposed surface water distribution system. The project consists of five separate alignments totaling more than 15 miles of right of way. Mr. Thayer's duties included performance of a Phase I ESA to identify potential recognized environmental conditions (RECs) with potential to affect the proposed project. Mr. Thayer is currently involved in implementing a Phase II ESA to assess soil and groundwater conditions within the project area. The current scope of work includes scope and cost estimates, client meetings, and assisting in obtaining permission from current right of way owners.

**Sienna Pump Station No. 4 Site, 5.522 Acres South of Sienna Plantation on behalf of Sienna Plantation LID, Fort Bend County, Texas:** Project Manager for performance of a Phase I Environmental Site Assessment prior to property acquisition and construction of a pump station. Mr. Thayer's duties included review and interpretation of regulatory agency and historic data and site reconnaissance to assess the possible presence of recognized environmental conditions with potential to impact the proposed project. Mr. Thayer's duties also included coordination with the property owner and the client's attorneys, as well as completion of a Phase I ESA report consistent with ASTM E1527-13/AAI standards.

**Chimney Rock Road Extension from FM 2234 (McHard Road) to Tabor Mills Drive for Fort Bend County Engineering Department, Fort Bend County, Texas:** Project Manager for performance of hazardous materials assessment of approximately 2.2 miles of proposed right of way. Scope of work included performance of both Phase I and Phase II Environmental Site Assessments. Worked in conjunction with Natural Resources Group to manage a jurisdictional wetland that also contained impacts above Railroad Commission of Texas (RRC) standards. Submitted site and had accepted to RRC Voluntary Cleanup Program. Utilized the identified soil impacts to allow permitting to occur through a Nationwide Permit rather than an Individual Permit, while at the same time removing affected soils from the wetland. Involved coordination with both United State Army Corps of Engineers and RRC. Also involved coordination with the County Engineer and project engineers to tailor construction methods to insure proper removal of affected soils and placement outside wetlands areas.