

## CITY OF HOUSTON



## PUBLIC WORKS AND ENGINEERING PLANNING & DEVELOPMENT DIVISION

### EXECUTIVE SUMMARY

#### *Project Overview*

InControl Technologies LLC was retained by Fannin Center Holdings LLC (applicant, Property Owner), to provide environmental consulting services at 7135 Fannin, Houston, Harris County, Texas. The subject property (the Site) consists of 0.687-acre tract of land (**Figure C1**). The property is developed with a retail strip center. The surrounding area is a mixture of residential and light commercial and industrial businesses (**Figure B1**).

The Site is located within the Brays Bayou Watershed. The site is located within the 500-year flood plain (**Figure C2**).

Volatile Organic Compounds (VOC) Protective Concentration Level Exceedance (PCLE) zones were identified in groundwater on the subject property. The PCLE zones are depicted on **Figures C3a through C3e**.

#### *Historical Environmental Condition*

The Site is an approximately 0.687-acre tract of land located at 7135 Fannin in Houston, Texas. Approximately one third of the property is covered with the building and parking. The single-story retail center was constructed in 1960 and remodeled in 1995. A dry cleaner has operated on the subject property in the southern tenant space since at least the early 1970s. The facility currently uses petroleum-based solvents but has used chlorinated solvents (i.e., Tetrachloroethene or "perc") historically. The current list of tenants includes OH Dry Cleaner, Deans Grocery and Gyro King.

A Phase I ESA conducted by InControl on October 2022 found two recognized environmental conditions (REC) for the subject property. The first, One Hour Fannin Cleaners, Fannin St. Cleaners, and One Hour Martinizing were identified on the subject property at 7135 Fannin St. Each location is listed in the Texas Commission on Environmental Quality (TCEQ) Central Registry, Industrial Hazardous Waste, FINDS, ECHO, RCRA-SQG and EDR Historical Cleaners databases. Currently, the facility uses petroleum-based solvents, but historically has also used chlorinated solvents (i.e., Tetrachloroethene or "perc"). The second, LaRose Cleaners and Deans Fannin St. Cleaners, located at 7205 Fannin St. Deans Fannin St. Cleaners is identified in the Central Registry, Industrial Hazardous Waste, RCRA Nongenerator, FINDS, ECHO, and VCP databases. The former Deans Fannin St. Cleaners is located adjacent south of the subject property and is currently enrolled in the TCEQ Voluntary Cleanup Program (VCP) (VCP No. 3146).

In October 2022, and then in December 2022, InControl Technologies conducted Phase II site assessments which included the advancement of three (3) soil borings, four (4) hand auger borings, and the installation of three (3) permanent monitoring wells. This was then followed by a sitewide groundwater monitoring event. InControl then returned in March 2023 to install three (3) additional monitoring wells, with a subsequent sitewide groundwater monitoring event in July 2023. Soil samples were collected from each location and analyzed for volatile organic compounds (VOCs) by EPA Method 8260, total petroleum hydrocarbons (TPH) by TX Method 1005, and RCRA 8 Metals by EPA Method 6020/7471.

InControl Technologies returned on October 25, 2023, to install one (1) permanent monitoring well followed by a subsequent sitewide groundwater monitoring event.

Seven permanent groundwater monitoring wells were installed across the subject property to characterize the contaminant plume in groundwater. The groundwater samples were historically sampled for volatile organic compounds (VOCs) by EPA Method 8260C. This was reduced to the target dry cleaning related compounds (PCE, TCE, cis-1,2-DCE, trans-1,2-DCE, vinyl chloride, and 1,1-DCE) after the initial soil and groundwater sampling events.

## Appendix A

Provide a legal description of the boundaries of the designated property, including metes and bounds, and a copy of the deed for the property. A professional surveyor currently registered with the Texas Board of Professional Surveying must certify that all property descriptions with metes and bounds are accurate.

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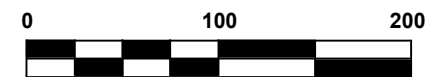
The legal description plus a metes and bounds description for the designated property is included in this section. Also included is a copy of the deed for the property.

**Figure A1** depicts the proposed MSD boundary.



## LEGEND

 Proposed MSD Boundary



Approximate Scale (feet)

**InControl Technologies**  
14731 Pebble Bend Drive  
Houston, Texas 77068  
(281) 580-8892 FAX (281) 580-8853

## Proposed MSD Boundary

CLIENT: Fannin Center Holdings LLC.			PM: CP
LOCATION: 7135 Fannin St Houston, Texas			CHECKED: CP
DETAILED: 11/21/2023	DESIGNED: NB	PROJECT NO: E22076-101	FIGURE: A1



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

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF HARRIS     §

THAT **SUSAN F. BROCHSTEIN** and **NANCY F. DUCOFF** (collectively, "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by **FANNIN CENTER HOLDINGS LLC**, a Texas limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, and upon and subject to the exceptions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee, the following described land and all improvements located thereon (the "Property");

**Lots Three (3) and Four (4), Block Three (3) of UNIVERSITY PARK, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 450, Page 564, of the Deed Records of Harris County, Texas**

This Special Warranty Deed is executed subject to any and all matters of record recorded in the Office of the County Clerk of Harris County, Texas, to the extent applicable to and enforceable against the Property.

NOTWITHSTANDING ANYTHING TO THE CONTRARY, GRANTEE ACKNOWLEDGES THAT, EXCEPT FOR THE WARRANTY OF TITLE PROVIDED FOR IN THIS SPECIAL WARRANTY DEED, NO REPRESENTATION OR WARRANTY OF ANY KIND IS MADE, EXPRESS OR IMPLIED, WHETHER AS TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, HABITABILITY, SUITABILITY, OR OTHERWISE, WITH RESPECT TO THE REAL AND PERSONAL PROPERTY COVERED HEREBY, INCLUDING ALL IMPROVEMENTS ON THE PROPERTY DESCRIBED ABOVE.

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**Lots Three (3) and Four (4), Block Three (3) of UNIVERSITY PARK, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 450, Page 564, of the Deed Records of Harris County, Texas** D

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TO HAVE AND HOLD the Property, together with all and singular, the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's heirs, successors, assigns and legal representatives forever. And Grantor does hereby bind Grantor and Grantor's heirs, successors, assigns and legal representatives to warrant and forever defend, all and singular, the Property unto said Grantee, its heirs, successors, assigns and legal representatives, against every person whoseever claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor and Grantee on the dates of the acknowledgments set forth below, to be effective for all purposes as of the 7th day of October, 2015.

[Signature Pages Follow]

**GRANTOR:**

**SUSAN F. BROCHSTEIN**

*Susan F Brochstein*

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned authority, on this 22<sup>nd</sup> day of December, 2015, personally appeared Susan F. Brochstein in her individual capacity, known to be to be the person whose name is subscribed to the foregoing instrument, and whom acknowledged to me that he executed the same for the purposes and consideration therein expressed.



*Julie Lyles McKeVitt*

Notary Public in and for the State of Texas

My Commission Expires: December 26, 2016

NANCY F. DUCOFF

Nancy F. Ducoff

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned authority, on this 18<sup>th</sup> day of December, 2015, personally appeared Nancy F. Ducoff in her individual capacity, known to be to be the person whose name is subscribed to the foregoing instrument, and whom acknowledged to me that he executed the same for the purposes and consideration therein expressed.



Julie Lyles McKeivitt

Notary Public in and for the State of Texas

My Commission Expires: December 26, 2016

AFTER RECORDING, RETURN TO

Tyler Brochstein  
Schlanger Silver Barg & Paine, LLP  
109 N. Post Oak Lane, Suite 300  
Houston, Texas 77024-7755

20150582469  
# Pages 5  
12/29/2015 10:34 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$28.00

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



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**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF HARRIS     §

THAT **SUSAN F. BROCHSTEIN A/K/A SUSAN BROCHSTEIN** and **NANCY F. DUCOFF A/K/A NANCY DUCOFF F/K/A NANCY L. FRIEDLANDER** (collectively, "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by **LEHALL PROPERTIES, INC.**, a Texas corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, and upon and subject to the exceptions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee, the land (and all improvements located thereon) as described in Exhibit "A" hereto (collectively, the "Property"), being the following (which are all of Grantor's) interests therein: (i) 100% undivided interest in Tract 1; (ii) 80% undivided interest in Tract 2; and (iii) 100% undivided interest in Tract 3 (as such "Tracts" are defined at Exhibit "A" hereto).

This Special Warranty Deed is executed subject to any and all matters of record recorded in the Office of the County Clerk of Harris County, Texas, to the extent applicable to and enforceable against the Property.

NOTWITHSTANDING ANYTHING TO THE CONTRARY, GRANTEE ACKNOWLEDGES THAT, EXCEPT FOR THE WARRANTY OF TITLE PROVIDED FOR IN THIS SPECIAL WARRANTY DEED, NO REPRESENTATION OR WARRANTY OF ANY KIND IS MADE, EXPRESS OR IMPLIED, WHETHER AS TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, HABITABILITY, SUITABILITY, OR OTHERWISE, WITH RESPECT TO THE REAL AND PERSONAL PROPERTY COVERED HEREBY, INCLUDING ALL IMPROVEMENTS ON THE PROPERTY DESCRIBED ABOVE.

TO HAVE AND HOLD the Property, together with all and singular, the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and



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**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF HARRIS    §

THAT SUSAN F. BROCHSTEIN A/K/A SUSAN BROCHSTEIN and NANCY F. DUCOFF A/K/A NANCY DUCOFF F/K/A NANCY L. FRIEDLANDER (collectively, "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by LEHALL PROPERTIES, INC., a Texas corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, and upon and subject to the exceptions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee, the land (and all improvements located thereon) as described in Exhibit "A" hereto (collectively, the "Property"), being the following (which are all of Grantor's) interests therein: (i) 100% undivided interest in Tract 1; (ii) 80% undivided interest in Tract 2; and (iii) 100% undivided interest in Tract 3 (as such "Tracts" are defined at Exhibit "A" hereto).

5OR

1EE

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TO HAVE AND HOLD the Property, together with all and singular, the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and

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Grantee's heirs, successors, assigns and legal representatives forever. And Grantor does hereby bind Grantor and Grantor's heirs, successors, assigns and legal representatives to warrant and forever defend, all and singular, the Property unto said Grantee, its heirs, successors, assigns and legal representatives, against every person whoseever claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor and Grantee on the dates of the acknowledgments set forth below.

[Signature Pages Follow]

**GRANTOR:**

**SUSAN F. BROCHSTEIN  
A/K/A SUSAN BROCHSTEIN**

*Susan Brochstein*

THE STATE OF TEXAS     §  
   §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned authority, on this 22<sup>nd</sup> day of December, 2015, personally appeared Susan F. Brochstein in her individual capacity, known to be to be the person whose name is subscribed to the foregoing instrument, and whom acknowledged to me that he executed the same for the purposes and consideration therein expressed.



*Julie Lyles McKEVITT*

Notary Public in and for the State of Texas

My Commission Expires: December 26, 2016

NANCY F. DUCOFF  
A/K/A NANCY DUCOFF  
F/K/A NANCY L. FRIEDLANDER

Nancy F. Ducoff

THE STATE OF TEXAS     §  
                                     §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned authority, on this 18<sup>th</sup> day of December, 2015, personally appeared Nancy F. Ducoff in her individual capacity, known to be to be the person whose name is subscribed to the foregoing instrument, and whom acknowledged to me that he executed the same for the purposes and consideration therein expressed.



Julie Lyles McKeivitt

Notary Public in and for the State of Texas

My Commission Expires: December 26, 2016

AFTER RECORDING, RETURN TO

Tyler Brochstein  
Schlanger Silver Barg & Paine, LLP  
109 N. Post Oak Lane, Suite 300  
Houston, Texas 77024-7755

EXHIBIT "A" – PROPERTY

TRACT 1

Lot 26, Block Three (3), University Park, a recorded subdivision at Volume 450, Page 564 of the Deed Records of Harris County, Texas.

TRACT 2

A tract of land containing 13,034 square feet being Lots 1 and 2, Block 3, University Park Addition, as recorded in Volume 450, Page 564, Harris County Map Records, Harris County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at an I.R. at the N.E. corner of Fannin Street and St. Agnes Street for the S.W. corner, said point being the S.W. corner of Lot 1, Block 3, University Park Addition;

Thence N 9° 43' 00" W, along the east line of Fannin Street and the west line of Lot 1 and 2, Block 3, 102.00 feet to an I.R. for the N.W. corner;

Thence S 88° 21' 20" E, along the common line of Lots 2 and 3, Block 3, 140.49 feet to an I.R. for the N.E. corner;

Thence S 1° 45' 27" W, along the common line of Lots 1 and 2 and Lot 26, Block 3, 100.00 feet to an I.R. for the N.E. corner;

Thence N 88° 21' 20" W, along the north line of St. Agnes Street and the south line of Lot 1, Block 3, 120.20 feet to the PLACE OF BEGINNING.

TRACT 3

Lots Twenty-one (21) and Twenty-two (22), in Block Three (3) of University Park Addition, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 450, Page 564 of the Deed Records of Harris County, Texas.

*Exhibit "A"*  
*Fannin Lots - Special Warranty Deed*



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# Pages 6  
12/29/2015 10:34 AM  
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Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$32.00

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



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**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF HARRIS     §

THAT **RUSSELL C. DUCOFF, SUCCESSOR TRUSTEE OF THE TYLER KENDALL BROCHSTEIN 1983 TRUST** ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by **TKB1000, LLC**, a Texas limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, and upon and subject to the exceptions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee, the land (and all improvements located thereon) as described in Exhibit "A" hereto (collectively, the "Property"), being a 5% (five percent) undivided interest (which is all of Grantor's interest) in the Property.

This Special Warranty Deed is executed subject to any and all matters of record recorded in the Office of the County Clerk of Harris County, Texas, to the extent applicable to and enforceable against the Property.

NOTWITHSTANDING ANYTHING TO THE CONTRARY, GRANTEE ACKNOWLEDGES THAT, EXCEPT FOR THE WARRANTY OF TITLE PROVIDED FOR IN THIS SPECIAL WARRANTY DEED, NO REPRESENTATION OR WARRANTY OF ANY KIND IS MADE, EXPRESS OR IMPLIED, WHETHER AS TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, HABITABILITY, SUITABILITY, OR OTHERWISE, WITH RESPECT TO THE REAL AND PERSONAL PROPERTY COVERED HEREBY, INCLUDING ALL IMPROVEMENTS ON THE PROPERTY DESCRIBED ABOVE.

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warrant and forever defend, all and singular, the Property unto said Grantee, its heirs, successors, assigns and legal representatives, against every person whoseever claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor and Grantee on the date of the acknowledgment set forth below.

[Signature Page Follows]

**GRANTOR:**

**RUSSELL C. DUCOFF, SUCCESSOR  
TRUSTEE OF THE TYLER KENDALL  
BROCHSTEIN 1983 TRUST**

*Russell C. Ducoff*

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned authority, on this 18<sup>th</sup> day of December, 2015, personally appeared RUSSELL C. DUCOFF, SUCCESSOR TRUSTEE OF THE TYLER KENDALL BROCHSTEIN 1983 TRUST, known to be to be the person whose name is subscribed to the foregoing instrument, and whom acknowledged to me that he executed the same for the purposes and consideration therein expressed.



*Julie Lyles McKeivitt*

Notary Public in and for the State of Texas

My Commission Expires: December 26, 2016

AFTER RECORDING, RETURN TO

Tyler Brochstein  
Schlanger Silver Barg & Paine, LLP  
109 N. Post Oak Lane, Suite 300  
Houston, Texas 77024-7755

**EXHIBIT "A" – PROPERTY**

**A tract of land containing 13,034 square feet being Lots 1 and 2, Block 3, University Park Addition, as recorded in Volume 450, Page 564, Harris County Map Records, Harris County, Texas, and being more particularly described by metes and bounds as follows:**

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*Exhibit "A"*  
*Fannin Lot - Special Warranty Deed*

20150582471  
# Pages 5  
12/29/2015 10:34 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$28.00

**RECORDERS MEMORANDUM**

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THE STATE OF TEXAS

COUNTY OF HARRIS

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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

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TO HAVE AND HOLD the Property, together with all and singular, the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's heirs, successors, assigns and legal representatives forever. And Grantor does hereby bind Grantor and Grantor's heirs, successors, assigns and legal representatives to

WD  
R

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

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF HARRIS     §

THAT RUSSELL C. DUCOFF, SUCCESSOR TRUSTEE OF THE ASHLEY ELYSE BROCHSTEIN TRUST (1987) ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by ASHLEY BROCHSTEIN, LLC, a Texas limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, and upon and subject to the exceptions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee, the land (and all improvements located thereon) as described in Exhibit "A" hereto (collectively, the "Property"), being a five percent (5%) undivided interest (which is all of Grantor's interest) in the Property.

2OR

1EE

This Special Warranty Deed is executed subject to any and all matters of record recorded in the Office of the County Clerk of Harris County, Texas, to the extent applicable to and enforceable against the Property.

NOTWITHSTANDING ANYTHING TO THE CONTRARY, GRANTEE ACKNOWLEDGES THAT, EXCEPT FOR THE WARRANTY OF TITLE PROVIDED FOR IN THIS SPECIAL WARRANTY DEED, NO REPRESENTATION OR WARRANTY OF ANY KIND IS MADE, EXPRESS OR IMPLIED, WHETHER AS TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, HABITABILITY, SUITABILITY, OR OTHERWISE, WITH RESPECT TO THE REAL AND PERSONAL PROPERTY COVERED HEREBY, INCLUDING ALL IMPROVEMENTS ON THE PROPERTY DESCRIBED ABOVE.

TO HAVE AND HOLD the Property, together with all and singular, the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's heirs, successors, assigns and legal representatives forever. And Grantor does hereby bind Grantor and Grantor's heirs, successors, assigns and legal representatives to

**Page 1 of 3**

***Fannin Lot - Special Warranty Deed***

ER 077-63-1897



warrant and forever defend, all and singular, the Property unto said Grantee, its heirs, successors, assigns and legal representatives, against every person whoseever claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor and Grantee on the date of the acknowledgment set forth below.

[Signature Page(s) Follow]

**GRANTOR:**

**RUSSELL C. DUCOFF, SUCCESSOR  
TRUSTEE OF THE ASHLEY ELYSE  
BROCHSTEIN TRUST (1987)**

*Russell C. Duccoff*

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned authority, on this 18<sup>th</sup> day of December, 2015, personally appeared RUSSELL C. DUCOFF, SUCCESSOR TRUSTEE OF THE ASHLEY ELYSE BROCHSTEIN TRUST (1987), known to be to be the person whose name is subscribed to the foregoing instrument, and whom acknowledged to me that he executed the same for the purposes and consideration therein expressed.



*Julie Lyles McKeivitt*

Notary Public in and for the State of Texas

My Commission Expires: December 26, 2016

AFTER RECORDING, RETURN TO

Tyler Brochstein  
Schlanger Silver Barg & Paine, LLP  
109 N. Post Oak Lane, Suite 300  
Houston, Texas 77024-7755

EXHIBIT "A" – PROPERTY

A tract of land containing 13,034 square feet being Lots 1 and 2, Block 3, University Park Addition, as recorded in Volume 450, Page 564, Harris County Map Records, Harris County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at an I.R. at the N.E. corner of Fannin Street and St. Agnes Street for the S.W. corner, said point being the S.W. corner of Lot 1, Block 3, University Park Addition;

Thence N 9° 43' 00" W, along the east line of Fannin Street and the west line of Lot 1 and 2, Block 3, 102.00 feet to an I.R. for the N.W. corner;

Thence S 88° 21' 20" E, along the common line of Lots 2 and 3, Block 3, 140.49 feet to an I.R. for the N.E. corner;

Thence S 1° 45' 27" W, along the common line of Lots 1 and 2 and Lot 26, Block 3, 100.00 feet to an I.R. for the N.E. corner;

Thence N 88° 21' 20" W, along the north line of St. Agnes Street and the south line of Lot 1, Block 3, 120.20 feet to the PLACE OF BEGINNING.

*Exhibit "A"*  
*Fannin Lot - Special Warranty Deed*

*NLD*

20150582472  
# Pages 5  
12/29/2015 10:34 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$28.00

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

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS     \*  
                                      \*  
COUNTY OF HARRIS     \*

That NANCY DUCOFF, Guardian for NICHOLAS DUCOFF, a minor under the Texas Uniform Gift to Minors Act, a resident of Harris County, Texas, as "Grantor", for and in consideration of the sum of TEN and NO/100 dollars (\$10.00) and other good and valuable considerations, in hand paid by the hereafter named "Grantee", the receipt and sufficiency of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto the following named Grantee, NICHOLAS DUCOFF, an undivided 10% interest in and to the hereafter described "Property", to-wit:

A tract of land containing 13,034 square feet being Lots 1 and 2, Block 3, University Park Addition, as recorded in Volume 450, Page 564, Harris County Map Records, Harris County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at an I.R. at the N.E. corner of Fannin Street and St. Agnes Street for the S.W. corner, said point being the S.W. corner of Lot 1, Block 3, University Park Addition;

Thence N9° 43' 00" W, along the east line of Fannin Street and the west line of Lot 1 and 2, Block 3, 102.00 feet to an I.R. for the N.W. corner;

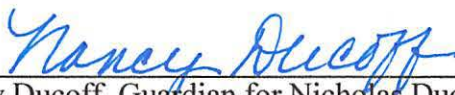
Thence S 88° 21' 20" E, along the common line of Lots 2 and 3, Block 3, 140.49 feet to an I.R. for the N.E. corner;

Thence S 1° 45' 27" W, along the common line of Lots 1 and 2 and Lot 26, Block 3, 100.00 feet to an I.R. for the N.B. corner;

Thence N 88° 21' 20" W, along the north line of St. Agnes Street and the south line of Lot 1, Block 3, 120.20 feet to the PLACE OF BEGINNING.

TO HAVE AND TO HOLD the above described Property, together with all and singular, the rights appurtenances thereto in any wise belonging unto the said Grantee, his heirs and legal representatives forever. Grantor does hereby bind herself, her heirs and legal representatives to warrant and forever defend, all and singular the said Property unto the said Grantee, his heirs and legal representatives, against every person whomsoever claiming, or to claim the same or any part thereof, by, through or under me.

EXECUTED on the 18 day of December, 2015.

  
\_\_\_\_\_  
Nancy Ducoff, Guardian for Nicholas Ducoff, a  
minor under the Texas Uniform Gift to Minors  
Act

WD  
R

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS \*  
\*  
COUNTY OF HARRIS \*

That NANCY DUCOFF, Guardian for NICHOLAS DUCOFF, a minor under the Texas Uniform Gift to Minors Act, a resident of Harris County, Texas, as "Grantor", for and in consideration of the sum of TEN and NO/100 dollars (\$10.00) and other good and valuable considerations, in hand paid by the hereafter named "Grantee", the receipt and sufficiency of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto the following named Grantee, NICHOLAS DUCOFF, an undivided 10% interest in and to the hereafter described "Property", to-wit:

1EE

A tract of land containing 13,034 square feet being Lots 1 and 2, Block 3, University Park Addition, as recorded in Volume 450, Page 564, Harris County Map Records, Harris County, Texas, and being more particularly described by metes and bounds as follows:

D

Beginning at an I.R. at the N.E. corner of Fannin Street and St. Agnes Street for the S.W. corner, said point being the S.W. corner of Lot 1, Block 3, University Park Addition;

Thence N9° 43' 00" W, along the east line of Fannin Street and the west line of Lot 1 and 2, Block 3, 102.00 feet to an I.R. for the N.W. corner;


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Thence N 88° 21' 20" W, along the north line of St. Agnes Street and the south line of Lot 1, Block 3, 120.20 feet to the PLACE OF BEGINNING.

TO HAVE AND TO HOLD the above described Property, together with all and singular, the rights appurtenances thereto in any wise belonging unto the said Grantee, his heirs and legal representatives forever. Grantor does hereby bind herself, her heirs and legal representatives to warrant and forever defend, all and singular the said Property unto the said Grantee, his heirs and legal representatives, against every person whomsoever claiming, or to claim the same or any part thereof, by, through or under me.

EXECUTED on the 18 day of December, 2015.

  
Nancy Ducoff, Guardian for Nicholas Ducoff, a  
minor under the Texas Uniform Gift to Minors  
Act

2OR

ER 077-63-1902

STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the 18<sup>th</sup> day of December, 2015 by Nancy Ducoff, Guardian for Nicholas Ducoff, a minor under the Texas Uniform Gift to Minors Act.



Julie Lyles McKeivitt  
Notary Public - State of Texas

RETURN TO:

Nancy Ducoff  
11845 Durrette  
Houston, Texas 77024



20150582473  
# Pages 3  
12/29/2015 10:34 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$20.00

**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

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

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS    §  
                                      §  
COUNTY OF HARRIS    §

THAT **NICHOLAS DUCOFF** ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by **NICK AND KEVIN D FAMILY HOLDINGS, LLC**, a Texas limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, and upon and subject to the exceptions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee, the land (and all improvements located thereon) as described in Exhibit "A" hereto (collectively, the "Property"), being a ten percent (10%) undivided interest (which is all of Grantor's interest) in the Property.

This Special Warranty Deed is executed subject to any and all matters of record recorded in the Office of the County Clerk of Harris County, Texas, to the extent applicable to and enforceable against the Property.

NOTWITHSTANDING ANYTHING TO THE CONTRARY, GRANTEE ACKNOWLEDGES THAT, EXCEPT FOR THE WARRANTY OF TITLE PROVIDED FOR IN THIS SPECIAL WARRANTY DEED, NO REPRESENTATION OR WARRANTY OF ANY KIND IS MADE, EXPRESS OR IMPLIED, WHETHER AS TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, HABITABILITY, SUITABILITY, OR OTHERWISE, WITH RESPECT TO THE REAL AND PERSONAL PROPERTY COVERED HEREBY, INCLUDING ALL IMPROVEMENTS ON THE PROPERTY DESCRIBED ABOVE.

TO HAVE AND HOLD the Property, together with all and singular, the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's heirs, successors, assigns and legal representatives forever. And Grantor does hereby bind Grantor and Grantor's heirs, successors, assigns and legal representatives to warrant and forever defend, all and singular, the Property unto said Grantee, its heirs,

WD  
R

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

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF HARRIS     §

THAT NICHOLAS DUCOFF ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by NICK AND KEVIN D FAMILY HOLDINGS, LLC, a Texas limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, and upon and subject to the exceptions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee, the land (and all improvements located thereon) as described in Exhibit "A" hereto (collectively, the "Property"), being a ten percent (10%) undivided interest (which is all of Grantor's interest) in the Property.

1OR  
1EE

This Special Warranty Deed is executed subject to any and all matters of record recorded in the Office of the County Clerk of Harris County, Texas, to the extent applicable to and enforceable against the Property.

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TO HAVE AND HOLD the Property, together with all and singular, the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's heirs, successors, assigns and legal representatives forever. And Grantor does hereby bind Grantor and Grantor's heirs, successors, assigns and legal representatives to warrant and forever defend, all and singular, the Property unto said Grantee, its heirs,

Page 1 of 3  
*Fannin Lot - Special Warranty Deed*

ER 077-84-1481

successors, assigns and legal representatives, against every person whosever claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor and Grantee on the date of the acknowledgment set forth below.

[Signature Page Follows]

**EXHIBIT "A" – PROPERTY**

**A tract of land containing 13,034 square feet being Lots 1 and 2, Block 3, University Park Addition, as recorded in Volume 450, Page 564, Harris County Map Records, Harris County, Texas, and being more particularly described by metes and bounds as follows:**

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**Thence S 88° 21' 20" E, along the common line of Lots 2 and 3, Block 3, 140.49 feet to an I.R. for the N.E. corner;**

**Thence S 1° 45' 27" W, along the common line of Lots 1 and 2 and Lot 26, Block 3, 100.00 feet to an I.R. for the N.E. corner;**

**Thence N 88° 21' 20" W, along the north line of St. Agnes Street and the south line of Lot 1, Block 3, 120.20 feet to the PLACE OF BEGINNING.**

*Exhibit "A"*  
*Fannin Lot - Special Warranty Deed*

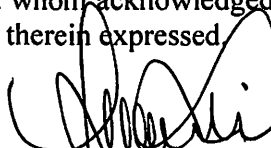
**GRANTOR:**

  
\_\_\_\_\_  
**NICHOLAS DUCOFF**

COMMONWEALTH OF MASSACHUSETTS §

COUNTY OF Suffolk §  
§

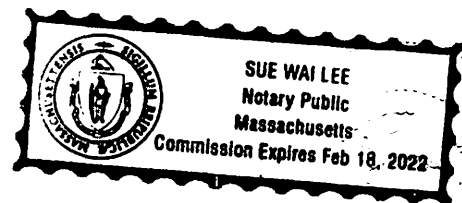
BEFORE ME, the undersigned authority, on this 29 day of December 2015, personally appeared NICK DUCOFF, known to be to be the person whose name is subscribed to the foregoing instrument, and whom acknowledged to me that he executed the same for the purposes and consideration therein expressed.

  
\_\_\_\_\_  
Notary Public Signature Sue Lee

AFTER RECORDING, RETURN TO

Nick Ducoff  
108 Lincoln St. #3B  
Boston, MA 02111

**Grantee's Address:**  
Nick and Kevin D Family Holdings, LLC  
4615 Southwest Freeway, Suite 500  
Houston, Texas 77027





20160002103  
# Pages 5  
01/04/2016 02:05 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$28.00

**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

WLD  
K441157

SWD-LEHALL:SLB:PB

SPECIAL WARRANTY DEED

040-77-0775

THE STATE OF TEXAS \*  
COUNTY OF HARRIS \*

KNOW ALL MEN BY THESE PRESENTS

03/07/86 00160418 K441157 \$ 5.00

5  
y  
THAT, NANCY FRIEDLANDER DUCOFF, previously known as NANCY DUCOFF, as a fifty percent (50%) owner, as her separate property, with the joinder of her husband, RUSSELL C. DUCOFF; and STEPHEN L. BROCHSTEIN and wife, SUSAN F. BROCHSTEIN, as the remaining fifty percent (50%) owners, as "Grantors", for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by LEHALL PROPERTIES, INC., a Texas corporation, with its principal place of business in Harris County, Texas, as "Grantee", the receipt of which is hereby acknowledged, ALL CASH, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto said Grantee all of the following described real property in Harris County, Texas, to-wit:

Lot Five (5), in Block Three (3) of UNIVERSITY PARK, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 450, Page 564, of the Deed Records of Harris County, Texas. D

UNOFFICIAL COPY  
This conveyance is subject and subordinate to, all and singular, the easements, covenants, restrictions and conditions applicable to and enforceable against the hereinabove described property as of record in the County Clerk's Office of Harris County, Texas, to which refer. This conveyance additionally includes all improvements located upon the hereinabove described property in their present condition, WHERE IS, AS IS, without representation or warranty, express or implied, whether as to MERCHANTABILITY, fitness, habitability or otherwise.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns, forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof BY, THROUGH AND UNDER THE GRANTORS, BUT NOT OTHERWISE.

EXECUTED this 6th day of March, 1986.

Nancy Friedlander Ducoff  
NANCY FRIEDLANDER DUCOFF

Stephen L. Brochstein  
STEPHEN L. BROCHSTEIN

Russell C. Ducoff  
RUSSELL C. DUCOFF

Susan F. Brochstein  
SUSAN F. BROCHSTEIN

4/87

THE STATE OF TEXAS \*

COUNTY OF HARRIS \*

040-77-0776

This instrument was acknowledged before me on the 25 day of February, 1986,  
by Nancy Friedlander Ducoff.

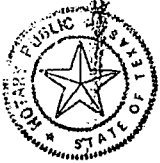
RUSSELL C. DUCOFF

*Russell C Ducoff*  
Notary Public in and for  
The State of TEXAS

THE STATE OF TEXAS \*

COUNTY OF HARRIS \*

This instrument was acknowledged before me on the 26<sup>th</sup> day of February, 1986,  
by Russell C. Ducoff.



MARY J. CALDWELL  
Notary Public, State of Texas  
My Commission Expires 4-8-86

*Mary J. Caldwell*  
Notary Public in and for  
The State of TEXAS

THE STATE OF TEXAS \*

COUNTY OF HARRIS \*

This instrument was acknowledged before me on the 27<sup>th</sup> day of February, 1986,  
by Stephen L. Brochstein.

*Patricia Dendy*  
Notary Public in and for  
The State of TEXAS

THE STATE OF TEXAS \*

COUNTY OF HARRIS \*

PATRICIA DENDY  
Notary Public in and for the State of Texas  
My Commission Expires February 16, 1987

This instrument was acknowledged before me on the 27<sup>th</sup> day of February, 1986,  
by Susan F. Brochstein.

*Susan F. Brochstein*  
Notary Public in and for  
The State of TEXAS  
*Leslie H. Slobin* 5/23/89

## ADDRESS OF GRANTORS:

c/o Stephen L. Brochstein  
Brochstein & Slobin  
9301 Southwest Freeway, #510  
Houston, Texas 77074

## ADDRESS OF GRANTEE:

c/o Stephen L. Brochstein  
Brochstein & Slobin  
9301 Southwest Freeway, #510  
Houston, Texas 77074

RECORDER'S MEMORANDUM

ALL BLACKOUTS, ADDITIONS AND CHANGES  
WERE PRESENT AT THE TIME THE INSTRUMENT  
WAS FILED AND RECORDED.

040-77-0777

FILED

MAR 7 3 23 PM 1986

*Quita Rodenauer*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

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 on

MAR 7 1986



*Quita Rodenauer*  
COUNTY CLERK,  
HARRIS COUNTY, TEXAS

## Appendix B

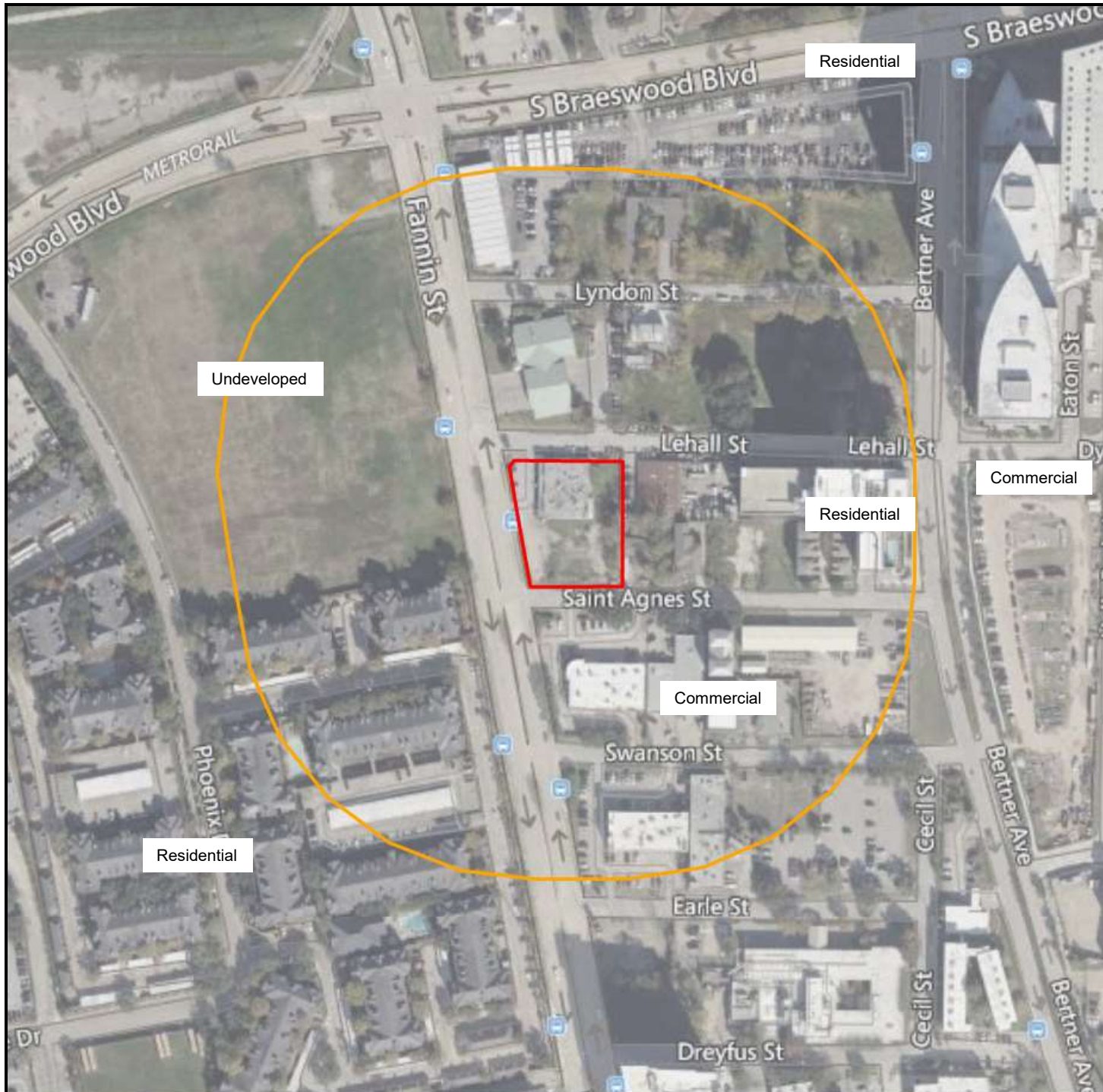
A description of the current use, and, to the extent known, the anticipated use(s), of the designated property and properties within 500 feet of the boundary of the designated property.

---

The proposed MSD area is a combined 0.8255-acres of land located southwest of downtown Houston, Harris County, Texas. The affected property is in a mixture of residential and commercial properties with hospitals and medical related businesses in the area. **(Figure B1)**. **Figure B1** provides a description of the surrounding land use within 500-feet of the site.

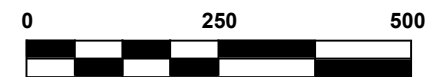
The tract is currently developed with a retail strip center and two undeveloped tracts. The surrounding land use is described as:

- North – The property is bound to the north by Lehall St. followed by Houston Fire Department Station 33.
- East – The property is bound to the east by a residential dwelling and a collision center (Med Center Collision).
- South – The property is bound to the south by Saint Agnes St. followed by a commercial/ retail center.
- West – The property is bound to the west by Fannin St. followed by an undeveloped tract and multi-family housing to the southwest across Fannin St.



## LEGEND

- Proposed MSD Boundary
- 500-ft Radius



Approximate Scale (feet)

## InControl Technologies

14731 Pebble Bend Drive  
Houston, Texas 77068  
(281) 580-8892 FAX (281) 580-8853

## Surrounding Land Use

CLIENT:		PM:
Fannin Center Holdings LLC.		CP
LOCATION:		CHECKED:
7135 Fannin St Houston, Texas		CP
DETAILED:	DESIGNED:	PROJECT NO:
11/21/2023	NB	E22076-101
		FIGURE:
		<b>B1</b>



## Appendix C

A site map showing:

- a. The location of the designated property.
- b. The topography of the designated property as indicated on publicly available sources, which must note the watershed including the nearest surface water body and whether the designated property is located in a floodplain or floodway, as those terms are defined in Chapter 19 of the Code of Ordinances.
- c. The detected area of groundwater contamination.
- d. The location of all soil sampling locations and all groundwater monitoring wells.
- e. Groundwater gradients, to the extent known, and direction of groundwater flow.
- f. The ingestion protective concentration level exceedence zone for each contaminant of concern, to the extent known.
- g. Depth to groundwater for each affected zone.

---

The following is a listing of figures included in **Appendix C**.

Figure C1 – Topographic Map

Figure C2 – Flood Plain and Watershed Map

Figure C3a – PCE Concentrations in Groundwater

Figure C3b – TCE Concentrations in Groundwater

Figure C3c – cis-1,2-DCE Concentrations in Groundwater

Figure C3d – trans-1,2-DCE Concentrations in Groundwater

Figure C3e – VC Concentrations in Groundwater

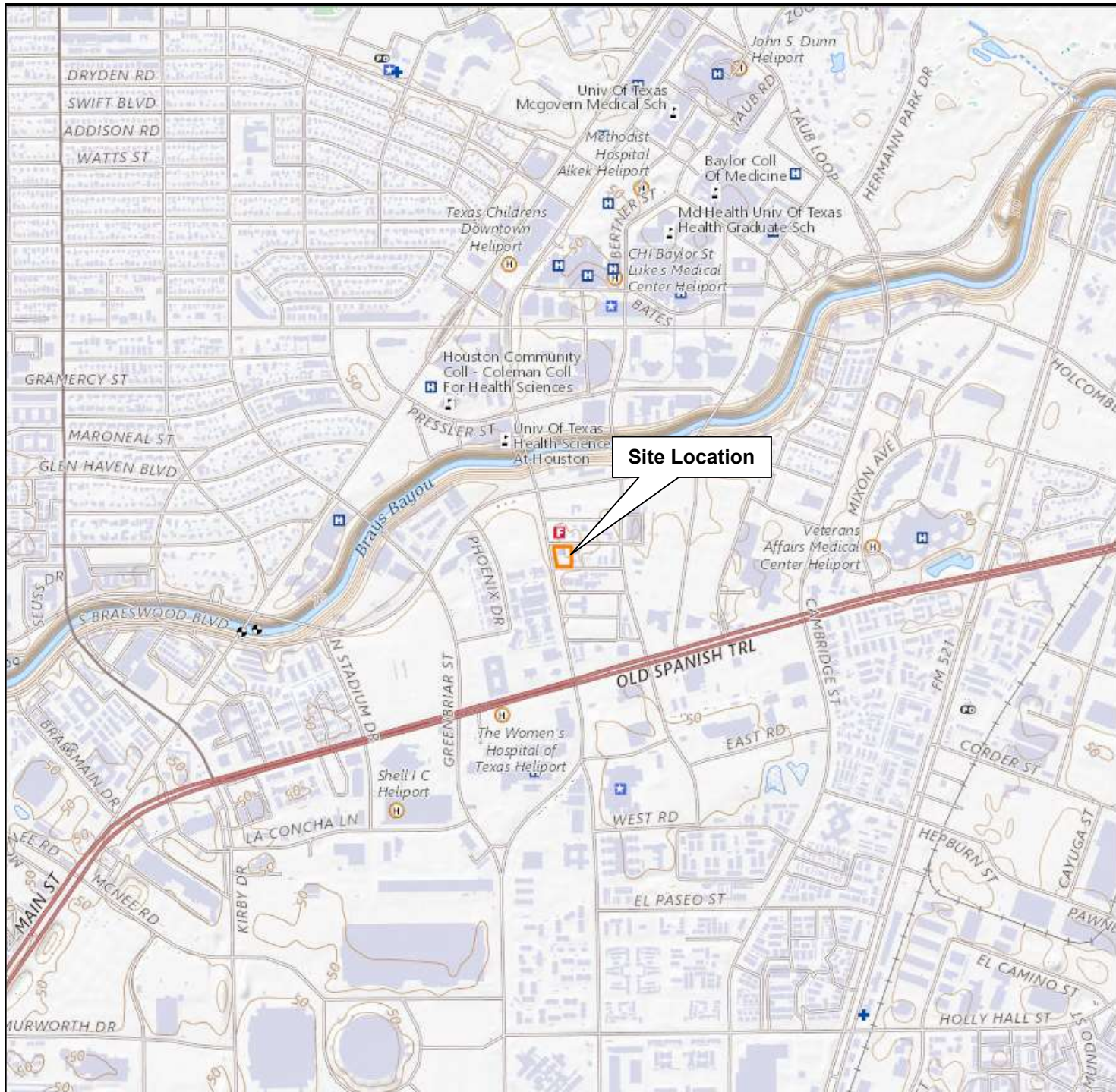
Figure C4 – Sample Location Map

Figure C5 – Groundwater Gradient Map

The Site is located within the Brays Bayou Watershed and is located within the 500 year floodplain (**Figure C2**).

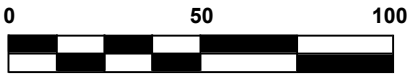
The primary chemicals of concern (COC) are tetrachloroethene (PCE) and its degradation products (trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE) and vinyl chloride (VC). (**Figure C3a through Figure C3e**). **Figures C3a through C3e** depict the groundwater PCLE zones during the most recent sampling event in February 2024. The sample locations are depicted on **Figure C4**. The direction of groundwater flow is toward the northwest (**Figure C5**).

The upper groundwater bearing unit was identified at a depth of 17-feet below ground surface (bgs) and is comprised of a sand to clayey sand. The unit is underlain by a stiff clay.



## LEGEND

Property Boundary



Approximate Scale (feet)

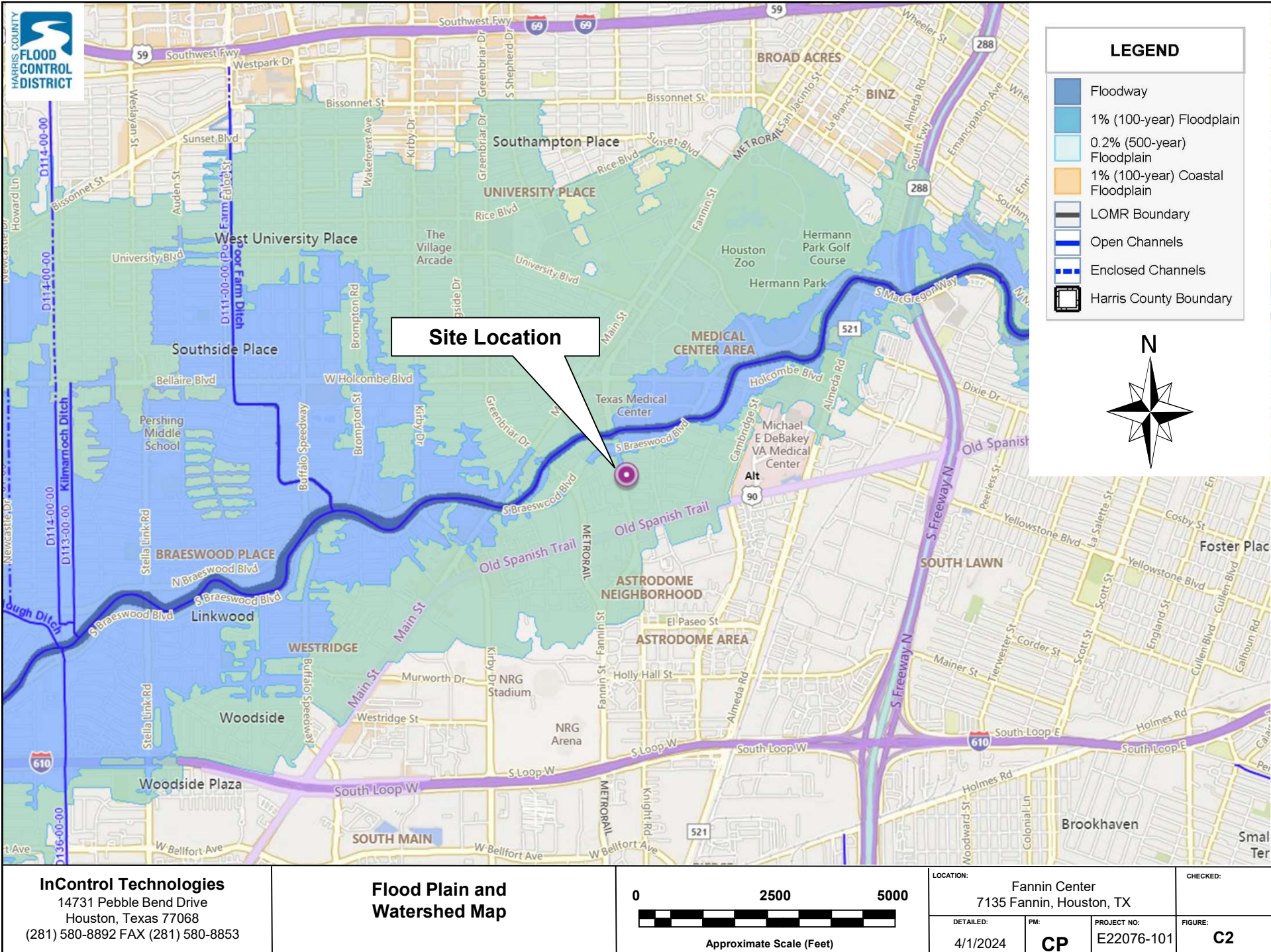
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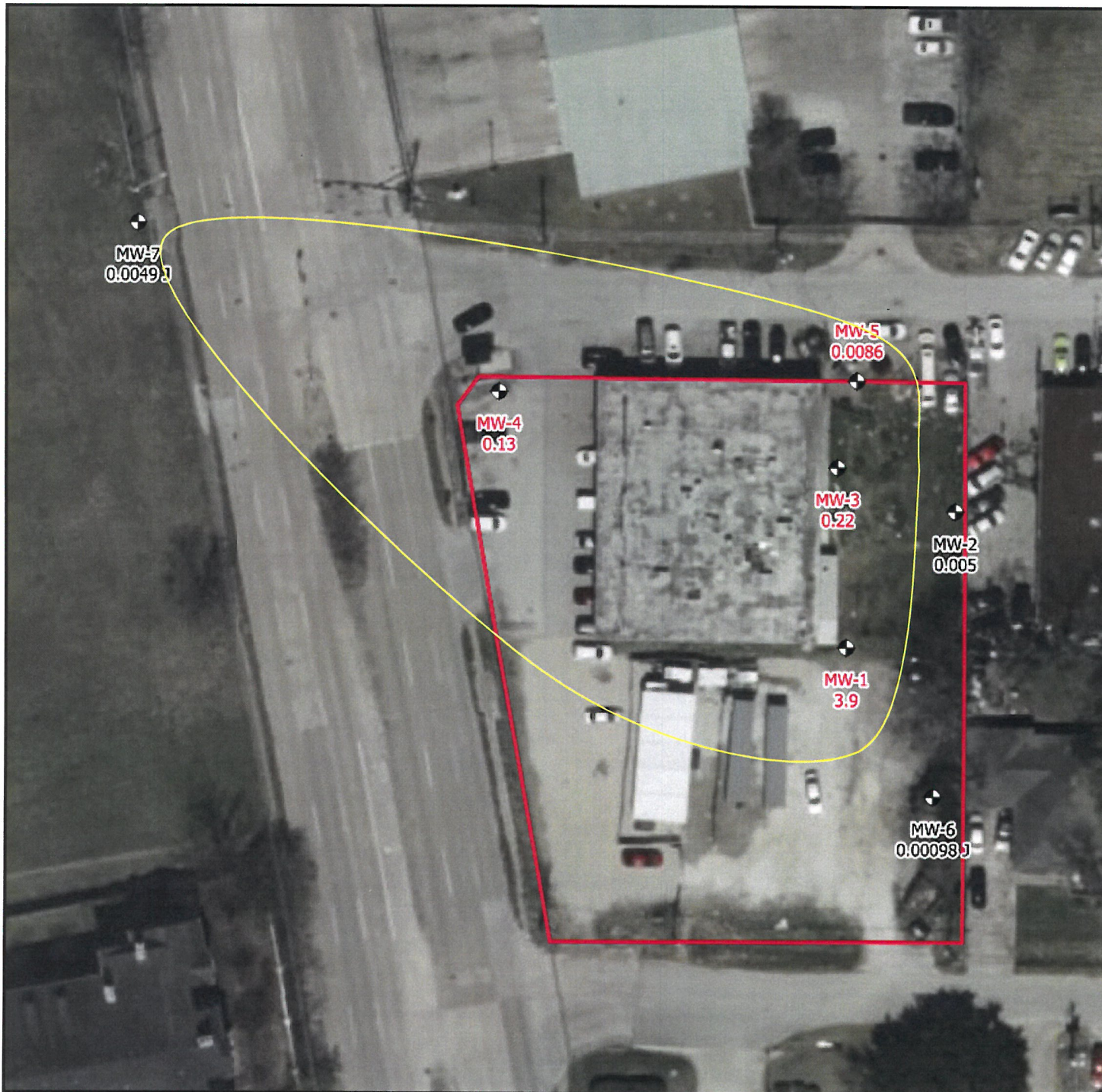
## Topographic Map

CLIENT:	Fannin Center Holdings LLC		PM:	CP
LOCATION:	7135 Fannin St Houston, Texas		CHECKED:	CP
DETAILED:	DESIGNED:	PROJECT NO:	FIGURE:	
12/21/2022	CP	E22076-101	C1	



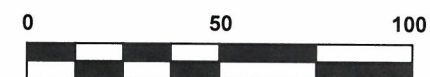
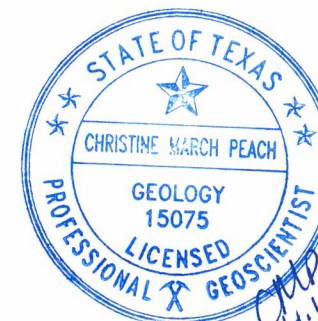






### LEGEND

- Property Boundary
- Monitoring Well
- 0.067** Concentration (mg/L)
- PCLE Zone (0.005 mg/L)



Approximate Scale (feet)

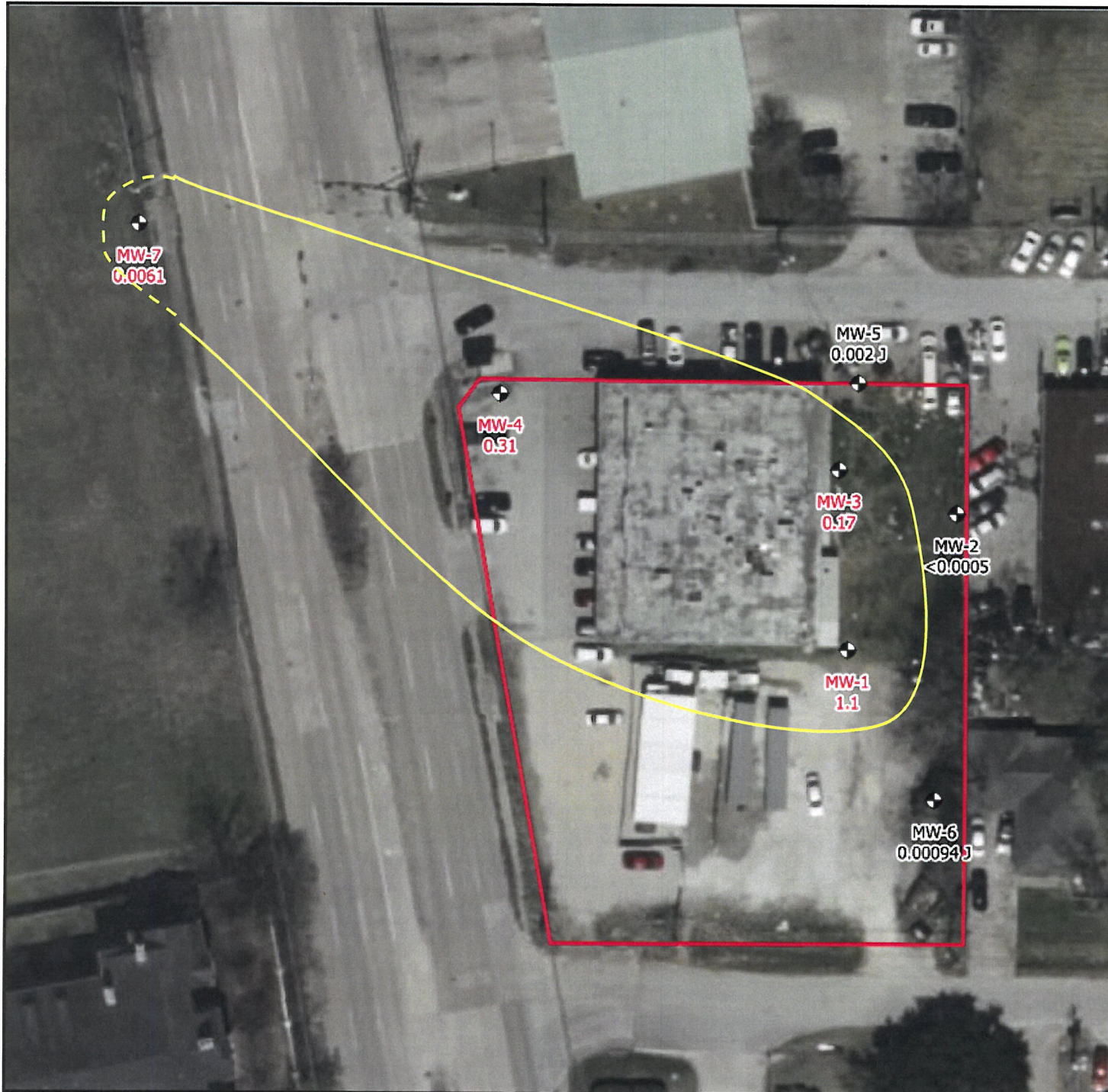
### InControl Technologies

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### PCE Concentrations in Groundwater – February 2024

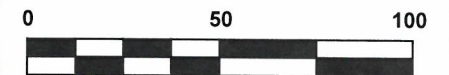
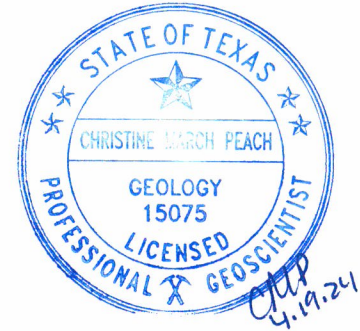
CLIENT: Fannin Center Holdings LLC		PM: CP
LOCATION: 7135 Fannin St Houston, Texas		CHECKED: CP
DETAILED: 2/20/2024	DESIGNED: SS	PROJECT NO: E22076101 FIGURE: <b>C3a</b>





### LEGEND

- Property Boundary
- Monitoring Well
- 0.067** Concentration (mg/L)
- PCLE Zone (0.005 mg/L)



Approximate Scale (feet)

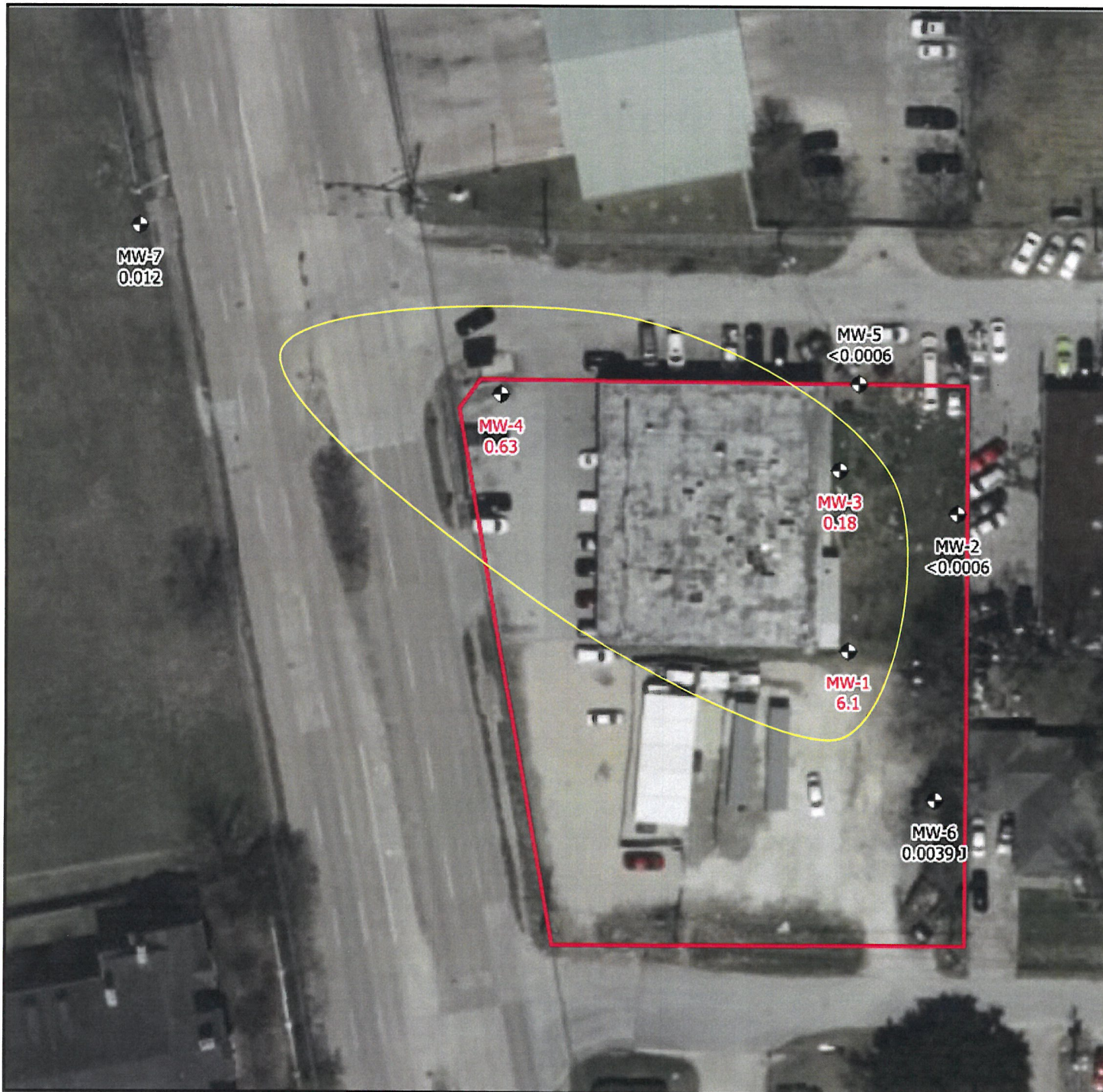
### InControl Technologies

14731 Pebble Bend Drive  
Houston, Texas 77068  
(281) 580-8892 FAX (281) 580-8853

### TCE Concentrations in Groundwater – February 2024

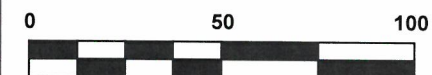
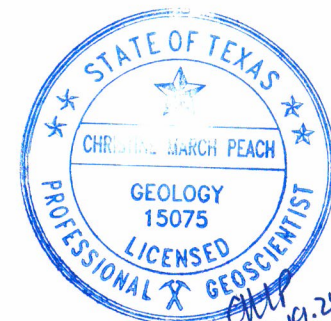
CLIENT: Fannin Center Holdings LLC		PM: CP
LOCATION: 7135 Fannin St Houston, Texas		CHECKED: CP
DETAILED: 2/20/2024	DESIGNED: SS	PROJECT NO: E22076-101 FIGURE: <b>C3b</b>





### LEGEND

- Property Boundary
- Monitoring Well
- 0.067** Concentration (mg/L)
- PCLE Zone (0.07 mg/L)



Approximate Scale (feet)

### InControl Technologies

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### Cis-1,2-DCE Concentrations in Groundwater – February 2024

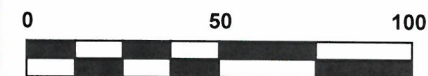
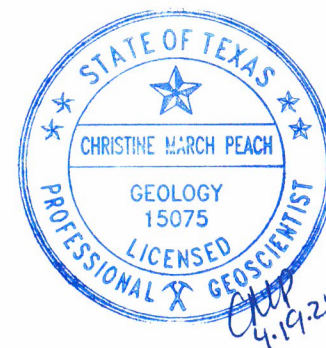
CLIENT:		PM:	
Fannin Center Holdings LLC		CP	
LOCATION:		CHECKED:	
7135 Fannin St Houston, Texas		CP	
DETAILED:	DESIGNED:	PROJECT NO:	FIGURE:
2/20/2024	SS	E22076-101	<b>C3c</b>





### LEGEND

-  Property Boundary
-  Monitoring Well
- 0.067** Concentration (mg/L)



Approximate Scale (feet)

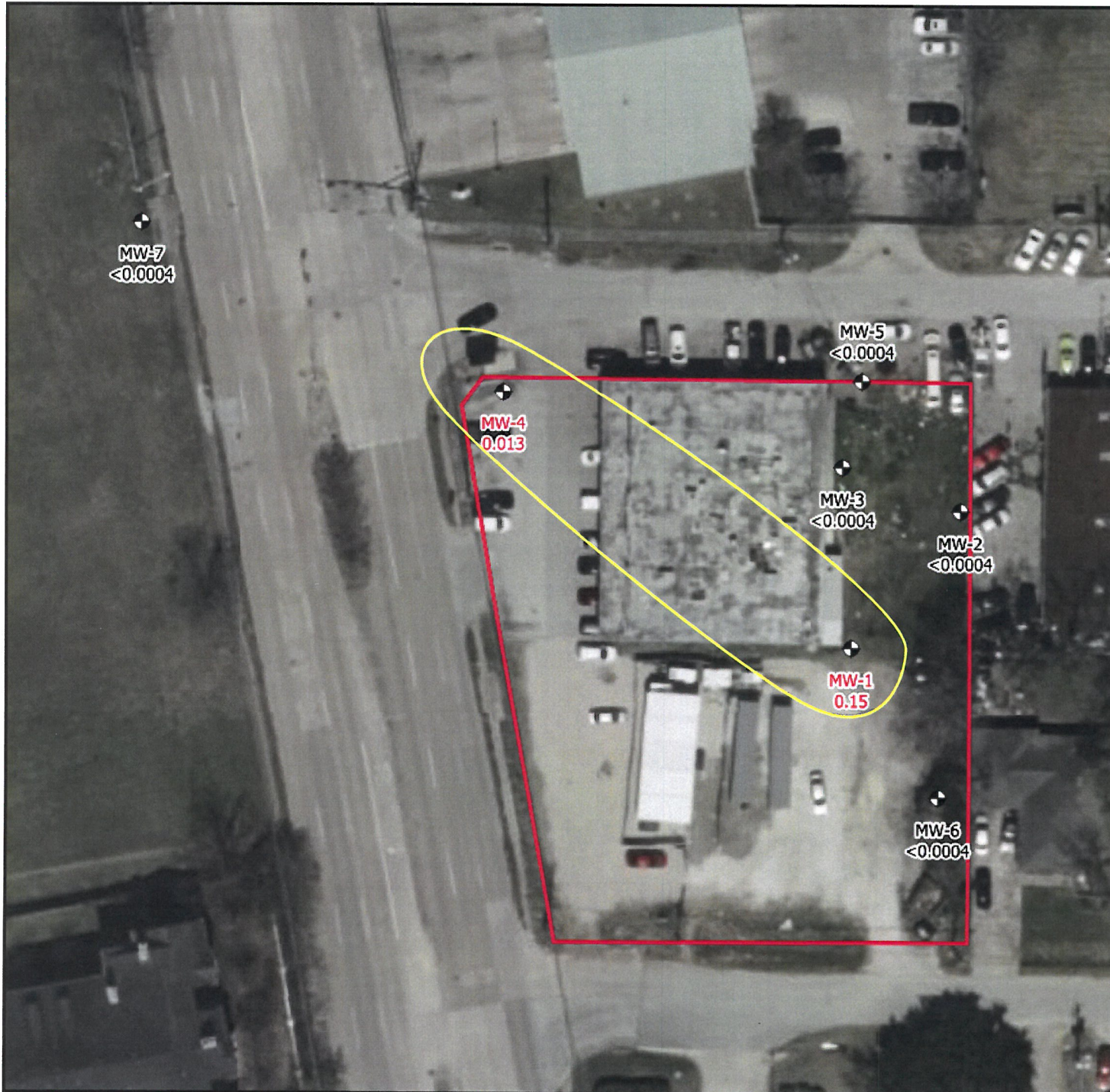
### InControl Technologies

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### Trans-1,2-DCE Concentrations in Groundwater – February 2024

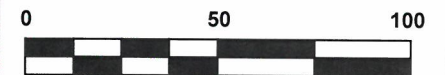
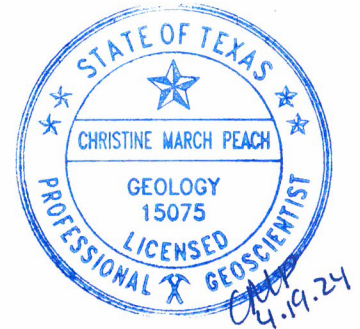
CLIENT: Fannin Center Holdings LLC		PM: CP
LOCATION: 7135 Fannin St Houston, Texas		CHECKED: CP
DETAILED: 2/20/2024	DESIGNED: SS	PROJECT NO: E22076-101
		FIGURE: <b>C3d</b>





### LEGEND

- Property Boundary
- Monitoring Well
- 0.007** Concentration (mg/L)
- PCLE Zone (0.002 mg/L)



Approximate Scale (feet)

### InControl Technologies

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Houston, Texas 77068  
(281) 580-8892 FAX (281) 580-8853

### Vinyl Chloride Concentrations in Groundwater – February 2024

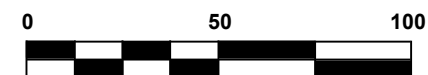
CLIENT: Fannin Center Holdings LLC		PM: CP
LOCATION: 7135 Fannin St Houston, Texas		CHECKED: CP
DETAILED: 2/20/2024	DESIGNED: SS	PROJECT NO: E22076-101 FIGURE: C3e





## LEGEND

-  Property Boundary
-  Monitoring Well
-  Soil Boring
-  Temporary Monitoring Well



Approximate Scale (feet)

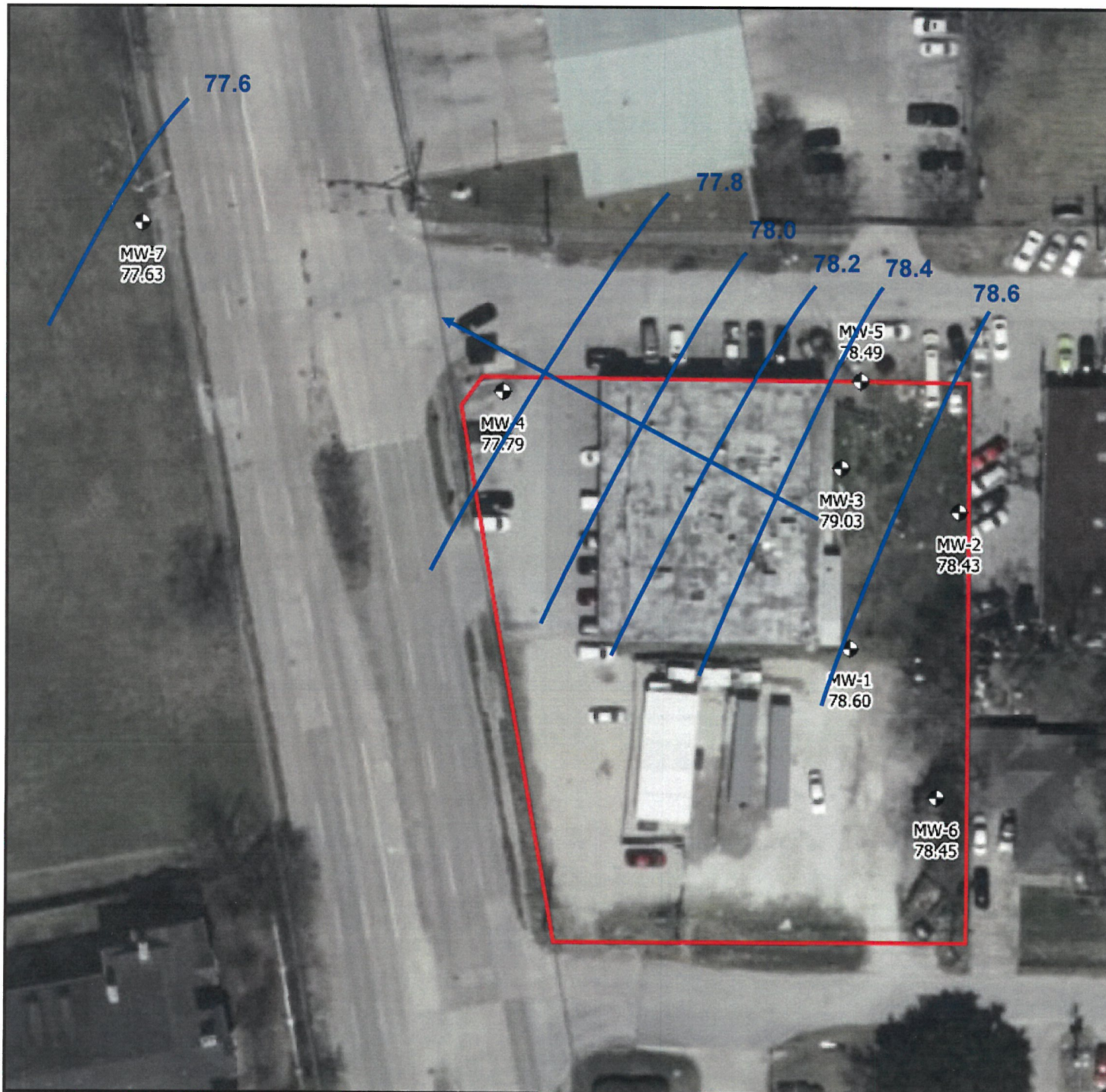
## InControl Technologies

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## Sample Location Map

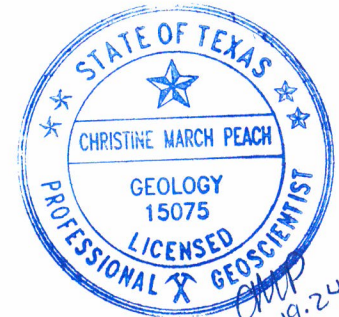
CLIENT: Fannin Center Holdings LLC			PM: CP
LOCATION: 7135 Fannin St Houston, Texas			CHECKED: CP
DETAILED: 2/20/2024	DESIGNED: SS	PROJECT NO: E22076-101	FIGURE: C4





### LEGEND

- Property Boundary
- Monitoring Well
- Groundwater Elevation



Approximate Scale (feet)

### InControl Technologies

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Houston, Texas 77068  
(281) 580-8892 FAX (281) 580-8853

### Groundwater Gradient Map February 2024

CLIENT: Fannin Center Holdings LLC			PM: CP
LOCATION: 7135 Fannin St Houston, Texas			CHECKED: CP
DETAILED: 2/20/2024	DESIGNED: SS	PROJECT NO: E22076-101	FIGURE: C5

## Appendix D

For each contaminant of concern within the designated groundwater:

- A description of the ingestion protective concentration level exceedance zone and the non-ingestion protective concentration level exceedance zone, including a specification of the horizontal area and the minimum and maximum depth below ground surface.
- The level of contamination, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units.
- Its basic geochemical properties (e.g. whether the contaminant of concern migrates with groundwater, floats, or is soluble in water).

**A) Protective Concentration Level Exceedance (PCLE) Zone** – A review of recent groundwater sampling data indicate the following COCs exceed the applicable Tier 1 <sup>GW</sup>GW<sub>Ing</sub> PCLs: PCE, TCE, cis-1,2-DCE, trans-1,2-DCE and VC. The PCLE zones are depicted on **Figure C3a through C3e** and are discussed in more detail below. The area of affected groundwater has been delineated horizontally in all directions to the greatest extent possible, and the plume appears to be stable. The current overall PCLE zone is approximately 345-feet long by 119-ft wide. A comparison of the groundwater sampling results with applicable non-ingestion PCLs (<sup>Air</sup>GW<sub>Inh-V</sub>) indicates that none of the groundwater samples reported a COC concentration above the <sup>Air</sup>GW<sub>Inh-V</sub> PCL. Therefore, based on the recent groundwater monitoring results, there is no non-ingestion protective concentration level exceedance zone within the proposed MSD boundary.

The upper groundwater bearing unit was identified at a depth of 17-feet below ground surface (bgs) and is comprised of a sand. The unit is underlain by a stiff clay.

COC: Tetrachloroethene	
Maximum Concentration from analytical data	3.9 mg/L (MW-1; February 2024)
Ingestion-Based PCL (Residential <sup>GW</sup> GW <sub>Ing</sub> )	0.005 mg/L
Ingestion-Based PCLE Zone (approximate)	Length: 320 ft Width: 158 ft Vertical Extent: 17ft – 28ft below ground surface (bgs)
Non-Ingestion-Based PCL ( <sup>Air</sup> GW <sub>Inh-V</sub> )	500 mg/L
Non-Ingestion-Based PCLE Zone	NONE
Geochemical/ Physical Properties	
Molecular Weight	165.8
Specific Gravity	1.63
Solubility in Water	206 mg/L @ 25°C
Groundwater Migration	along groundwater gradient

COC: Trichloroethene	
Maximum Concentration from analytical data	1.1 mg/L (MW-1; February 2024)
Ingestion-Based PCL (Residential <sup>GW</sup> GW <sub>Ing</sub> )	0.005 mg/L
Ingestion-Based PCLE Zone (approximate)	Length: 368 ft Width: 130 ft Vertical Extent: 17ft – 28ft below ground surface (bgs)
Non-Ingestion-Based PCL ( <sup>Air</sup> GW <sub>Inh-v</sub> )	24 mg/L
Non-Ingestion-Based PCLE Zone	NONE
Geochemical/ Physical Properties	
Molecular Weight	131.4
Specific Gravity	1.46
Solubility in Water	1,280 mg/L @ 25°C
Groundwater Migration	along groundwater gradient

COC: cis-1,2-Dichloroethene	
Maximum Concentration from analytical data	6.1 mg/L (MW-1; February 2024)
Ingestion-Based PCL (Residential <sup>GW</sup> GW <sub>Ing</sub> )	0.07 mg/L
Ingestion-Based PCLE Zone (approximate)	Length: 306 ft Width: 139 ft Vertical Extent: 17ft – 28ft below ground surface (bgs)
Non-Ingestion-Based PCL ( <sup>Air</sup> GW <sub>Inh-v</sub> )	1,200 mg/L
Non-Ingestion-Based PCLE Zone	NONE
Geochemical/ Physical Properties	
Molecular Weight	96.94
Specific Gravity	1.2837
Solubility in Water	6,410 mg/L @ 25°C
Groundwater Migration	along groundwater gradient

COC: trans-1,2-DCE	
Maximum Concentration from analytical data	0.19 mg/L (MW-1; November 2023)
Ingestion-Based PCL (Residential <sup>GW</sup> GW <sub>Ing</sub> )	0.10 mg/L
Ingestion-Based PCLE Zone (approximate)	Length: 28 ft Width: 28 ft Vertical Extent: 17ft – 28ft below ground surface (bgs)
Non-Ingestion-Based PCL ( <sup>Air</sup> GW <sub>Inh-v</sub> )	250 mg/L
Non-Ingestion-Based PCLE Zone	NONE
Geochemical/ Physical Properties	
Molecular Weight	78.11
Specific Gravity	0.879
Solubility in Water	1,800 mg/L @ 25°C
Groundwater Migration	along groundwater gradient



COC: Vinyl Chloride	
Maximum Concentration from analytical data	0.19 mg/L (MW-1; December 2022)
Ingestion-Based PCL (Residential <sup>GW</sup> GW <sub>Ing</sub> )	0.002 mg/L
Ingestion-Based PCLE Zone (approximate)	Length: 227 ft Width: 85 ft Vertical Extent: 17ft – 28ft below ground surface (bgs)
Non-Ingestion-Based PCL ( <sup>Air</sup> GW <sub>Inh-V</sub> )	3.8 mg/L
Non-Ingestion-Based PCLE Zone	NONE
Geochemical/ Physical Properties	
Molecular Weight	62.5
Specific Gravity	0.9106
Solubility in Water	2,763 mg/L @ 25°C
Groundwater Migration	along groundwater gradient

## Appendix E

A table displaying the following information for each contaminant of concern, to the extent known:

- a. The maximum concentration level for soil and groundwater, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units.
- b. The critical protective concentration level without the municipal setting designation, highlighting any exceedences.

---

**Appendix E** contains tables summarizing the concentration levels for the primary chemicals of concern in soil and groundwater. The tables include the concentration level, the ingestion protective concentration limits ( $^{GW}Soil_{Ing}$  for soil and  $^{GW}GW_{Ing}$  for groundwater), the non-ingestion protective concentration limits for soil ( $^{Tot}Soil_{Comb}$  and  $^{Air}Soil_{Inh-V}$ ) and groundwater ( $^{Air}GW_{Inh-V}$ ), the critical protective concentration limits assuming no MSD is in place ( $^{GW}Soil_{Ing}$  for soil and  $^{GW}GW_{Ing}$  for groundwater), and the critical PCLs assuming that an MSD is in place ( $^{Tot}Soil_{Comb}$  for soil and  $^{Air}GW_{Inh-V}$  for groundwater).

**Table E1** is a summary of Volatile Organic Compounds (VOCs) detected in Soil.

**Table E2** is a summary of Volatile Organic Compounds (VOCs) detected in Groundwater.

**Table E1**  
**Summary of Volatile Organic Compounds in Soil**  
**Fannin Center**  
**7135 Fannin, Houston, TX 77030**  
**VCP 3288**

Sample ID	Depth	Date	PCE	TCE	cis-1,2-DCE	trans-1,2-DCE	Vinyl chloride	1,1-DCE
	(ft)		mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg
Residential	TotSoil <sub>Comb</sub>		710	18	140	590	3.7	2300
Residential	GWSoil <sub>Ing</sub>		0.05	0.034	0.25	0.49	0.022	0.05
Residential	AirSoil <sub>Inh-V</sub>		940	31	920	920	43	5200
SB-1	4-5	10/5/2022	<0.00057	<0.00049	<0.00065	<0.00041	<0.00065	<0.00041
	27.5-30	10/5/2022	<0.00071	<0.0006	<0.00081	<0.0005	<0.00081	<0.0005
SB-2	4-5	10/5/2022	0.013	0.0063	0.28 J	0.004 J	0.026	<0.00052
	22.5-25	10/5/2022	1.2	0.11	0.67	0.0062	0.023	<0.00048
SB-3	2.5-5	10/5/2022	<0.00075	<0.00065	<0.00086	<0.00054	<0.00086	<0.00054
	25-27.5	10/5/2022	0.14	0.0099	0.047	<0.00054	0.013	<0.00054
HA-1	1-2	10/5/2022	<0.00078	<0.00067	<0.00089	<0.00056	<0.00089	<0.00056
HA-2	1-2	12/13/2022	<0.00081	<0.00069	<0.00092	<0.00058	<0.00092	<0.00058
HA-3	1-2	12/13/2022	<0.00081	<0.0007	<0.00093	<0.00058	<0.00093	<0.00058
HA-4	1-2	12/13/2022	<0.00099	<0.00085	<0.0011	<0.00071	<0.0011	<0.00071
MW-4	5-7.5	3/9/2023	0.009	0.0047 J	<0.001	<0.00062	<0.001	<0.00062
	22.5-25	3/9/2023	0.022	0.0079	<0.00065	<0.0004	<0.00065	<0.0004
MW-5	2.5-5	3/9/2023	<0.00055	<0.00047	<0.00063	<0.0004	<0.00063	<0.0004
	25-27.5	3/9/2023	<0.00068	<0.00058	<0.00077	<0.00048	<0.00077	<0.00048
MW-6	2.5-5	3/9/2023	<0.0006	<0.00052	<0.00069	<0.00043	<0.00069	<0.00043
	25-27.5	3/9/2023	<0.0006	<0.00051	<0.00068	<0.00043	<0.00068	<0.00043
MW-7	5-7.5	10/25/2023	<0.00088	<0.00075	<0.001	<0.00063	<0.001	<0.00063
	37-39	10/25/2023	<0.00071	<0.00061	<0.00081	<0.00051	<0.00081	<0.00051

Notes:

  Exceeds TRRP Tier 1 <sup>GW</sup>Soil<sub>Ing</sub> PCL

<: Analyte was not detected at or above the reported sample detection limit

J: Analyte was detected at the concentration less than the method detection limit

PCL: Protective Concentration Level (updated as of May 2023)

**Table E2**  
**Summary of VOCs Detected in Groundwater**  
**Fannin Center**  
**7135 Fannin, Houston, TX 77030**  
**VCP 3288**

Sample ID	Date	PCE	TCE	cis-1,2-DCE	trans-1,2-DCE	Vinyl chloride	1,1-DCE
		mg/L	mg/L	mg/L	mg/L	mg/L	mg/L
Residential	<sup>GW</sup> GW <sub>Ing</sub>	0.005	0.005	0.07	0.1	0.002	0.007
Residential	<sup>Air</sup> GW <sub>Inh-V</sub>	500	24	1200	770	3.8	1700
MW-1	12/14/2022	1.2	0.3	2.4	0.064	0.19	<0.0005
	3/10/2023	3.7	0.83	4	0.11	0.15	<0.0005
	7/6/2023	2.8	0.65	3.7	0.078	0.091	<0.0025
	11/13/2023	3.6	0.91	4.5	0.19	0.022	<0.0005
	2/12/2024	3.9	1.1	6.1	0.12 J	0.15	<0.025
MW-2	12/14/2022	0.0012 J	<0.0005	0.00062 J	<0.0004	<0.0004	<0.0005
	3/10/2023	0.0014 J	<0.0005	<0.0006	<0.0004	<0.0004	<0.0005
	7/7/2023	0.0016 J	<0.0005	<0.0006	<0.0004	<0.0004	<0.0005
	10/25/2023	0.0023 J	<0.0005	<0.0006	<0.0004	<0.0004	<0.0005
	2/12/2024	0.005	<0.0005	<0.0006	<0.0004	<0.0004	<0.0005
MW-3	12/14/2022	0.067	0.0087	0.017	<0.0004	<0.0004	<0.0005
	3/10/2023	0.23	0.06	0.15	0.0009 J	<0.0004	<0.0005
	7/7/2023	0.45	0.093	0.21	0.0012 J	<0.0004	<0.0005
	10/25/2023	0.25	0.082	0.15	0.00095 J	<0.0004	<0.0005
	2/12/2024	0.22	0.17	0.18	<0.0004	<0.0004	<0.0005
MW-4	3/10/2023	0.091	0.073	0.14	0.00099 J	0.00093 J	<0.0005
	7/7/2023	0.48	0.15	0.11	0.0012 J	0.0014 J	0.0012 J
	10/25/2023	0.43	0.19	0.16	0.0046 J	0.0075	0.0019 J
	2/12/2024	0.13	0.31	0.63	<0.002	0.013	<0.0025
MW-5	3/10/2023	0.00065 J	<0.0005	<0.0006	<0.0004	<0.0004	<0.0005
	7/7/2023	0.007	0.0014 J	<0.0006	<0.0004	<0.0004	<0.0005
	10/25/2023	0.0059	0.0012 J	<0.0006	<0.0004	<0.0004	<0.0005
	2/12/2024	0.0086	0.002 J	<0.0006	<0.0004	<0.0004	<0.0005
MW-6	3/10/2023	0.0032 J	0.0041 J	0.0039 J	<0.0004	<0.0004	<0.0005
	7/6/2023	0.00071 J	0.00081 J	0.0017 J	<0.0004	<0.0004	<0.0005
	10/25/2023	0.00094 J	<0.0005	0.0015 J	<0.0004	<0.0004	<0.0005
	2/12/2024	0.00098 J	0.00094 J	0.0039 J	<0.0004	<0.0004	<0.0005
MW-7	10/25/2023	0.005 J	0.0065	0.013	<0.0004	<0.0004	<0.0005
	2/12/2024	0.0049 J	0.0061	0.012	<0.0004	<0.0004	<0.0005

Notes:

  Exceeds TRRP Tier 1 <sup>GW</sup>GW<sub>Ing</sub> PCL

<: Analyte was not detected at or above the reported sample detection limit

J: Analyte was detected at the concentration less than the method detection limit

PCL: Protective Concentration Level (updated as of May 2023)

## Appendix F

If the plume extends beyond the limits of property owners listed in this application, list the owners of the additional property beneath which the plume(s) extend(s), and a summary of the interactions with those property owners about the plume(s) and this MSD application. *Please Note: You are not required under this item to notify affected property owners, only to provide a summary of who affected property owners are, and if there have been any communications. "No contact" can be an acceptable answer.*

---

The plume extends downgradient to the northwest and does not appear to extend past MW-7. The plume is contained within the 500-ft radius of the subject property. No contact has been made with any of the adjacent landowners.

The plume also extends beneath the Fannin Street right-of-way. A City of Houston monitoring well permit was obtained to install monitoring well MW-7.

## Appendix G

A statement as to whether the source of the plume has been removed, the plume of contamination is stable (i.e. no change) or contracting, and the plume is delineated, **with the basis for that statement.** Please include historical sampling data.

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Shallow groundwater has been affected by dissolved phase chlorinated hydrocarbons including PCE, TCE, cis-1,2-DCE, trans-1,2-DCE and vinyl chloride. The source of chlorinated hydrocarbons in groundwater is believed to be associated with historical operations conducted by a dry cleaner on the subject property in the southern tenant space since at least the early 1970s. The facility currently uses petroleum-based solvents but has used chlorinated solvents (i.e., Tetrachloroethene or “perc”) historically. Chlorinated hydrocarbons tend to move rapidly in the sub-surface environment and quickly reach equilibrium as long as there is no ongoing contributing mass source.

The lateral extent of groundwater impact in the shallow groundwater bearing unit has been delineated to the greatest extent possible and according to the most recent groundwater data, the plume appears to be decreasing to stable (**Tables E1 through E2**). The groundwater data collected to date indicates that the area of affected groundwater is stable and was the result of historic releases associated with operations on the subject property.

### ***Mann-Kendall Test for Statistical Trend***

InControl Technologies conducted a statistical trend analysis to determine if the target chemicals of concern are increasing, decreasing or remaining stable over time within the groundwater monitoring network. InControl Technologies used the Mann-Kendall Statistical Test for Trends to conduct the trend analysis. The statistical analysis was conducted using QualStat 6.0, a commercially available software package.

The purpose of the Mann-Kendall test is to statistically assess if there is a monotonic upward or downward trend of the variable of interest over time. A monotonic upward (downward) trend means that the variable consistently increases (decreases) through time, but the trend may or may not be linear. The Mann-Kendall test is used in place of a parametric linear regression analysis since the criteria for this test are generally violated with temporal environmental data. The regression analysis requires that the residuals from the fitted regression line be normally distributed; an assumption not required by the Mann-Kendall test since the Mann-Kendall test is a non-parametric or distribution-free statistical test.

### ***Assumptions***

The following assumptions underlie the Mann-Kendall test:

- When no trend is present, the measurements (observations or data) obtained over time are independent and identically distributed. The assumption of independence means that the observations are not serially correlated over time.
- The observations obtained over time are representative of the true conditions at the various sampling times.

- The sample collection, handling, and measurement methods provide unbiased and representative observations of the underlying populations over time.

There is no requirement that the measurements be normally distributed or that the trend, if present, is linear. The Mann-Kendall test can be computed if there are missing values and values below the sample detection limit. The assumption of independence requires that the time between samples be sufficiently large so that there is no correlation between measurements collected at different times.

### Calculations

The Mann-Kendall Statistical test tests whether to reject the null hypothesis ( $H_0$ ) and accept the alternative hypothesis ( $H_a$ ), where:

- $H_0$ : No monotonic trend
- $H_a$ : Monotonic trend is present

The Mann-Kendall test is conducted as follows:

1. List the data in the order in which they were collected over time,  $x_1, x_2, \dots, x_n$ , which denote the measurements obtained at times 1, 2,  $\dots$ ,  $n$ , respectively.
2. Determine the sign of all  $n(n-1)/2$  possible differences  $x_j - x_k$ , where  $j > k$ . These differences are  $x_2 - x_1, x_3 - x_1, \dots, x_n - x_1, x_3 - x_2, x_4 - x_2, \dots, x_n - x_2, \dots, x_n - x_{n-2}, x_n - x_{n-1}$ .
3. Let  $\text{sgn}(x_j - x_k)$  be the indicator function that takes on the value  $\pm 1, 0$ , or  $-1$  according to the sign of  $x_j - x_k$ , that is:

$$\text{sgn}(x_j - x_k) = \begin{cases} 1 & \text{if } x_j - x_k > 0 \\ 0 & \text{if } x_j - x_k = 0 \\ -1 & \text{if } x_j - x_k < 0 \end{cases}$$

4. Compute the statistic  $S =$

$$\sum_{k=1}^{n-1} \sum_{j=k+1}^n \text{sgn}(x_j - x_k)$$

which is the number of positive differences minus the number of negative differences. If  $S$  is a positive number, observations obtained later in time tend to be larger than observations made earlier. If  $S$  is a negative number, then observations made later in time tend to be smaller than observations made earlier.

5. Compute the variance of  $S$  as follows:

$$\text{Var}(S) = \frac{1}{18} \left[ n(n-1)(2n+5) - \sum_{p=1}^g t_p(t_p-1)((2t_p+5)) \right]$$



Where  $g$  is the number of tied groups and  $t_p$  is the number of observations in the  $p^{\text{th}}$  group. When there are ties in the data due to equal values or non-detects,  $\text{Var}(S)$  is adjusted by the tie correction method described in Helsel (2005, p. 191) and included in the formula above.

6. Compute the Mann-Kendall test statistic,  $Z_{MK}$ , as follows:

$$Z_{MK} = \begin{cases} \frac{s-1}{\sqrt{\text{Var}(S)}} & \text{if } S > 0 \\ 0 & \text{if } S = 0 \\ \frac{S+1}{\sqrt{\text{Var}(S)}} & \text{if } S < 0 \end{cases}$$

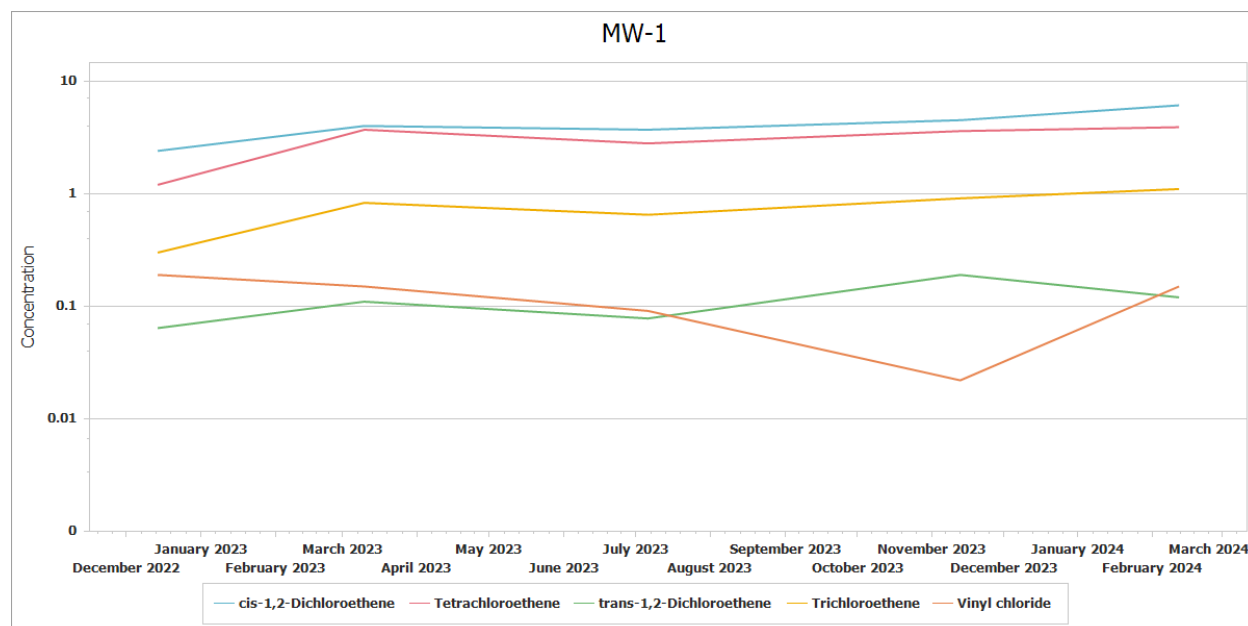
A positive (negative) value of  $Z_{MK}$  indicates that the data tend to increase (decrease) with time. To determine if a trend exists at the Type I error rate  $\alpha$ , where  $0 < \alpha < 0.5$ . (Note that  $\alpha$  is the tolerable probability that the Mann Kendall test will falsely reject the null hypothesis.), then the  $H_0$  is rejected and the  $H_a$  is accepted if  $Z_{MK} > Z_{1-\alpha}$ , where  $Z_{1-\alpha}$  is the 100(1- $\alpha$ ) percentile of the standard normal distribution. Following standard TRRP Guidance, InControl Technologies used an  $\alpha$  of 0.05. If the calculated probability ( $p$ ) is less than 0.05, the  $H_0$  hypothesis (no monotonic trend) is rejected in favor of the  $H_a$  hypothesis (a monotonic trend exists in the data). The following sections discuss the results of the Mann-Kendall Statistical Analysis on a well by well basis.

### ***Results from Statistical Trend Analysis***

A Statistical Trend Analysis was conducted for each well reporting a site related compound of concern (COC) above the Tier 1 Residential Protective Concentration Level. Only chemicals with historically detected concentrations exceeding the target PCL within a given well are discussed. Compounds that are below the Tier 1 Residential PCL are not discussed.

#### ***MW-1***

Monitoring well MW-1 is located onsite near the rear of the dry cleaner. PCE, TCE, cis-1,2-DCE, trans-1,2-DCE and VC are the site related COCs reported at concentrations greater than the PCLs during the sampling history of the site. The following table shows the results for the Mann-Kendall Statistical Test for Trends for all groundwater monitoring data since the well was first installed.



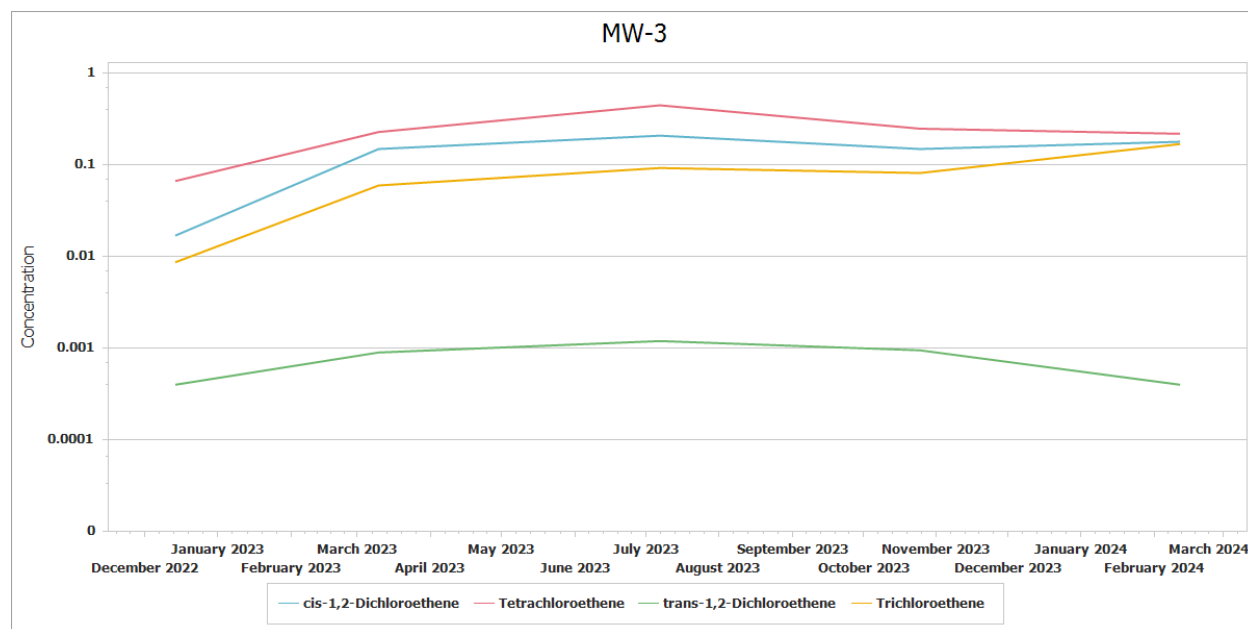
Parameter	Trend	Count	S	S Variance	S Prob	Z Value
1,1-Dichloroethene	There were no detects in the data.					
cis-1,2-Dichloroethene	Increasing	5	8	16.6667	4.32	1.7146
Tetrachloroethene	No Trend	5	6	16.6667	11.03	1.2247
trans-1,2-Dichloroethene	No Trend	5	6	16.6667	11.03	1.2247
Trichloroethene	Increasing	5	8	16.6667	4.32	1.7146
Vinyl chloride	No Trend	5	-5	15.6667	15.61	-1.0106

Overall COC concentrations demonstrate stable trends over the past year of sampling. There was an initial increase in the concentration of TCE and cis-1,2-DCE after the monitoring well was installed, but those concentrations have demonstrated a statistically stable trend in the past year of sampling.

Parameter	Trend	Count	S	S Variance	S Prob	Z Value
1,1-Dichloroethene	There were no detects in the data.					
cis-1,2-Dichloroethene	No Trend	4	4	8.6667	15.41	1.0190
Tetrachloroethene	No Trend	4	2	8.6667	36.70	0.3397
trans-1,2-Dichloroethene	No Trend	4	2	8.6667	36.70	0.3397
Trichloroethene	No Trend	4	4	8.6667	15.41	1.0190
Vinyl chloride	No Trend	4	-1	7.6667	50.00	0.0000

### MW-3

Monitoring well MW-3 is located cross-gradient of the dry cleaning tenant space. PCE, TCE, and cis-1,2-DCE, are the site related COCs reported at concentrations greater than the PCLs during the sampling history of the site. The following table shows the results for the Mann-Kendall Statistical Test for Trends for all groundwater monitoring data since the well was first installed.

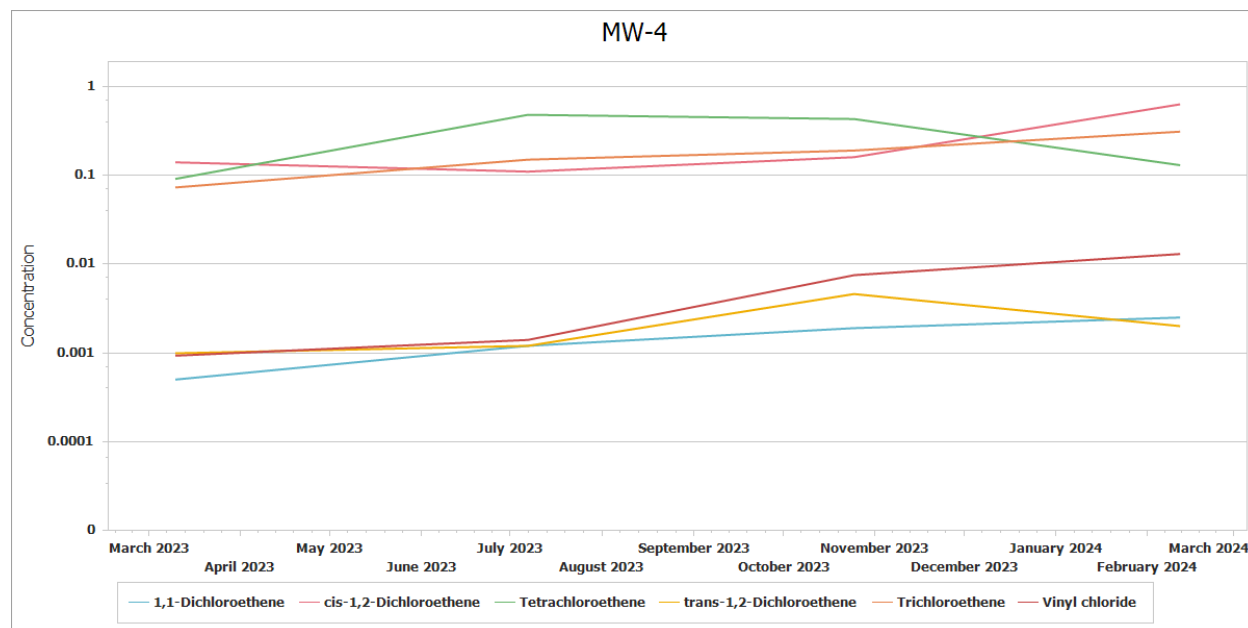


Parameter	Trend	Count	S	S Variance	S Prob	Z Value
1,1-Dichloroethene	There were no detects in the data.					
cis-1,2-Dichloroethene	No Trend	5	5	15.6667	15.61	1.0106
Tetrachloroethene	No Trend	5	2	16.6667	40.32	0.2449
trans-1,2-Dichloroethene	No Trend	5	1	15.6667	50.00	0.0000
Trichloroethene	Increasing	5	8	16.6667	4.32	1.7146
Vinyl chloride	There were no detects in the data.					

Similar to MW-1, COC concentrations demonstrate stable trends over the past year of sampling. There was an initial increase in concentrations after the monitoring well was installed, but those concentrations have demonstrated a statistically stable trend in the past year of sampling.

## MW-4

Monitoring well MW-4 is located onsite at the downgradient edge of the subject property. PCE, TCE, cis-1,2-DCE and VC are reported at concentrations greater than the Tier 1 residential PCLs. The following table shows the results for the Mann-Kendall Statistical Test for Trends for all groundwater monitoring data since the well was first installed.



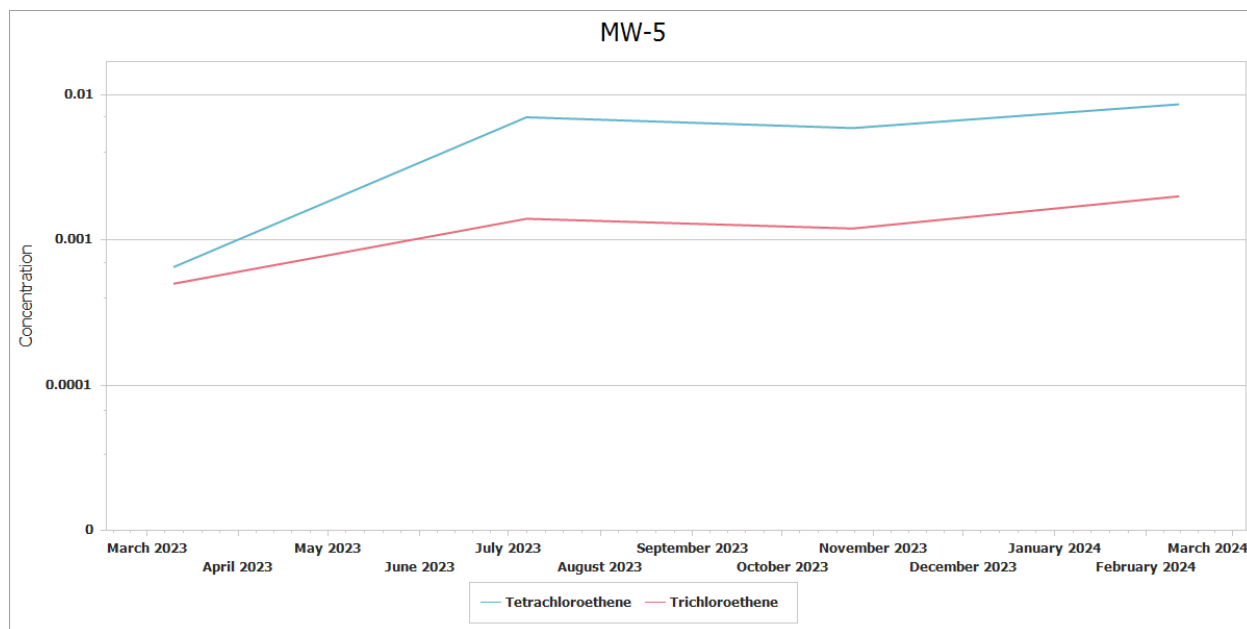
Parameter	Trend	Count	S	S Variance	S Prob	Z Value
1,1-Dichloroethene	Increasing	4	6	8.6667	4.47	1.6984
cis-1,2-Dichloroethene	No Trend	4	4	8.6667	15.41	1.0190
Tetrachloroethene	No Trend	4	0	8.6667	50.00	0.0000
trans-1,2-Dichloroethene	No Trend	4	4	8.6667	15.41	1.0190
Trichloroethene	Increasing	4	6	8.6667	4.47	1.6984
Vinyl chloride	Increasing	4	6	8.6667	4.47	1.6984

Similar to other onsite wells, COC concentrations demonstrate stable trends after the initial sampling event.

Parameter	Trend	Count	S	S Variance	S Prob	Z Value
1,1-Dichloroethene	No Trend	3	3	3.6667	14.81	1.0445
cis-1,2-Dichloroethene	No Trend	3	3	3.6667	14.81	1.0445
Tetrachloroethene	No Trend	3	-3	3.6667	14.81	-1.0445
trans-1,2-Dichloroethene	No Trend	3	1	3.6667	50.00	0.0000
Trichloroethene	No Trend	3	3	3.6667	14.81	1.0445
Vinyl chloride	No Trend	3	3	3.6667	14.81	1.0445

## MW-5

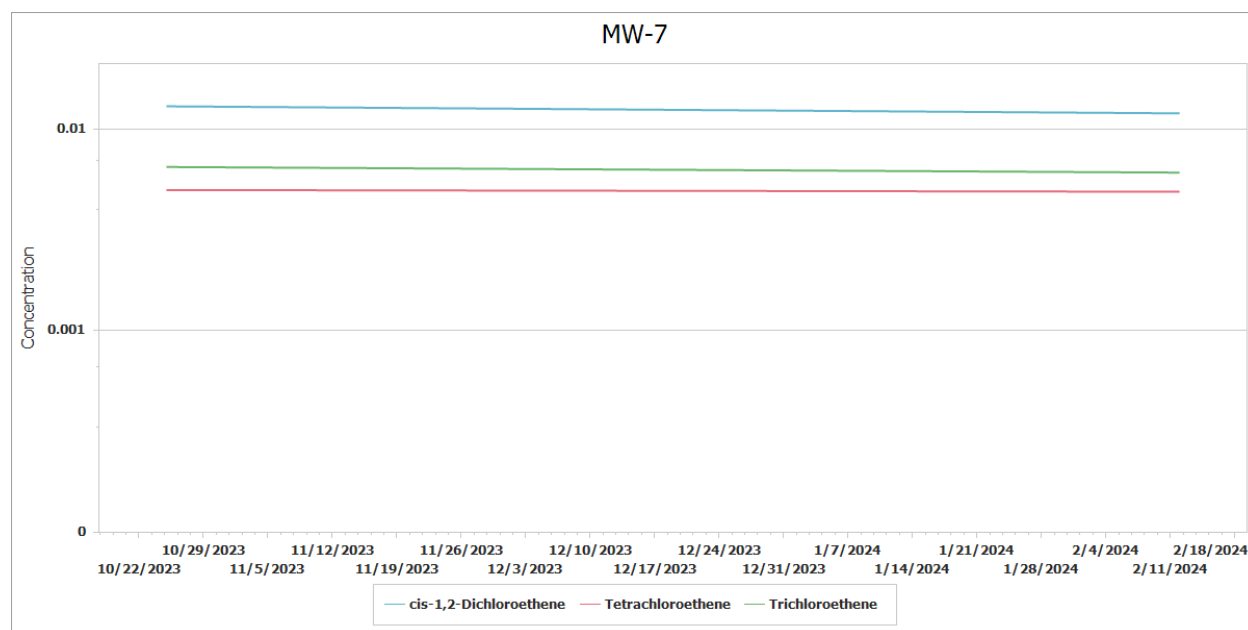
Monitoring well MW-5 is located onsite at the cross-gradient edge of the subject property. PCE is the only COC reported at a concentration greater than the Tier 1 residential PCL. The reported concentration of PCE is slightly greater than the PCL of 0.005 mg/L. The following table shows the results for the Mann-Kendall Statistical Test for Trends for all groundwater monitoring data since the monitoring well was installed.



Parameter	Trend	Count	S	S Variance	S Prob	Z Value
1,1-Dichloroethene	There were no detects in the data.					
cis-1,2-Dichloroethene	There were no detects in the data.					
Tetrachloroethene	No Trend	4	4	8.6667	15.41	1.0190
trans-1,2-Dichloroethene	There were no detects in the data.					
Trichloroethene	No Trend	4	4	8.6667	15.41	1.0190
Vinyl chloride	There were no detects in the data.					

## MW-7

Monitoring well MW-7 is installed downgradient of the source area and is the most downgradient sampling point. TCE is the only compound detected in monitoring well MW-7 and is reported at stable concentrations slightly greater than the  $^{GW}GW_{Ing}$  PCL. The following table shows the results for the Mann-Kendall Statistical Test for Trends for all groundwater monitoring data since the well was first installed.



Parameter	Trend	Count	S	S Variance	S Prob	Z Value
1,1-Dichloroethene	There were no detects in the data.					
cis-1,2-Dichloroethene	No Trend	2	-1	1.0000	50.00	0.0000
Tetrachloroethene	No Trend	2	-1	1.0000	50.00	0.0000
trans-1,2-Dichloroethene	There were no detects in the data.					
Trichloroethene	No Trend	2	-1	1.0000	50.00	0.0000
Vinyl chloride	There were no detects in the data.					

## Conclusions

COC concentrations have demonstrated stable to decreasing trends over the past four sampling events. The source has been removed and there is no contributing source to groundwater. Therefore, InControl Technologies has concluded that the overall plume is stable to decreasing.

## Appendix H

A statement as to whether contamination on and off the designated property without a Municipal Setting Designation will exceed a residential assessment level as defined in the Texas Risk Reduction Program or analogous residential level set by EPA, if known, and the basis for that statement.

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### **On the Designated Property**

As described in **Appendix D**, tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE) and vinyl chloride were reported at concentrations that exceed the TRRP residential assessment levels without a municipal setting designation (<sup>GW</sup>GW<sub>ing</sub>) (**Figure C3a through C3e, Table E2**). A review of the most recent groundwater sampling data (February 2024) within the proposed MSD boundary confirms these findings.

### **Off the Designated Property**

The area of impacted groundwater has been delineated to the residential assessment level off-site to the greatest extent possible (**Figures C3a through C3e**).