

City of Waco Landfill
McLennan County
TCEQ Permit No. MSW-1039
Permit Modification Application

Prepared for
City of Waco



501 Schroeder Drive
Waco, Texas 76710

SCS ENGINEERS

SCS Project No. 16222085.00 | Revision 0 – November 2022

1901 Central Drive, Suite 550
Bedford, Texas 76021
817.571.2288



Texas Commission on Environmental Quality Waste Permits Division Correspondence Cover Sheet

Date: 11/17/2022

Facility Name: City of waco Landfill

Permit or Registration No.: 1039

Nature of Correspondence:

Initial/New

Response/Revision to TCEQ Tracking No.:
_____ (from subject line of TCEQ letter
regarding initial submission)

Affix this cover sheet to the front of your submission to the Waste Permits Division. Check appropriate box for type of correspondence. Contact WPD at (512) 239-2335 if you have questions regarding this form.

Table 1 - Municipal Solid Waste Correspondence

Applications	Reports and Notifications
<input type="checkbox"/> New Notice of Intent	<input type="checkbox"/> Alternative Daily Cover Report
<input type="checkbox"/> Notice of Intent Revision	<input type="checkbox"/> Closure Report
<input type="checkbox"/> New Permit (including Subchapter T)	<input type="checkbox"/> Compost Report
<input type="checkbox"/> New Registration (including Subchapter T)	<input type="checkbox"/> Groundwater Alternate Source Demonstration
<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Groundwater Corrective Action
<input type="checkbox"/> Minor Amendment	<input type="checkbox"/> Groundwater Monitoring Report
<input type="checkbox"/> Limited Scope Major Amendment	<input type="checkbox"/> Groundwater Background Evaluation
<input type="checkbox"/> Notice Modification	<input type="checkbox"/> Landfill Gas Corrective Action
<input type="checkbox"/> Non-Notice Modification	<input type="checkbox"/> Landfill Gas Monitoring
<input checked="" type="checkbox"/> Transfer/Name Change Modification	<input type="checkbox"/> Liner Evaluation Report
<input type="checkbox"/> Temporary Authorization	<input type="checkbox"/> Soil Boring Plan
<input type="checkbox"/> Voluntary Revocation	<input type="checkbox"/> Special Waste Request
<input type="checkbox"/> Subchapter T Disturbance Non-Enclosed Structure	<input type="checkbox"/> Other:
<input type="checkbox"/> Other:	

Table 2 - Industrial & Hazardous Waste Correspondence

Applications	Reports and Responses
<input type="checkbox"/> New	<input type="checkbox"/> Annual/Biennial Site Activity Report
<input type="checkbox"/> Renewal	<input type="checkbox"/> CPT Plan/Result
<input type="checkbox"/> Post-Closure Order	<input type="checkbox"/> Closure Certification/Report
<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Construction Certification/Report
<input type="checkbox"/> Minor Amendment	<input type="checkbox"/> CPT Plan/Result
<input type="checkbox"/> CCR Registration	<input type="checkbox"/> Extension Request
<input type="checkbox"/> CCR Registration Major Amendment	<input type="checkbox"/> Groundwater Monitoring Report
<input type="checkbox"/> CCR Registration Minor Amendment	<input type="checkbox"/> Interim Status Change
<input type="checkbox"/> Class 3 Modification	<input type="checkbox"/> Interim Status Closure Plan
<input type="checkbox"/> Class 2 Modification	<input type="checkbox"/> Soil Core Monitoring Report
<input type="checkbox"/> Class 1 ED Modification	<input type="checkbox"/> Treatability Study
<input type="checkbox"/> Class 1 Modification	<input type="checkbox"/> Trial Burn Plan/Result
<input type="checkbox"/> Endorsement	<input type="checkbox"/> Unsaturated Zone Monitoring Report
<input type="checkbox"/> Temporary Authorization	<input type="checkbox"/> Waste Minimization Report
<input type="checkbox"/> Voluntary Revocation	<input type="checkbox"/> Other:
<input type="checkbox"/> 335.6 Notification	
<input type="checkbox"/> Other:	

November 17, 2022
Project No. 16222085.00

Ms. Charlie Fritz
MSW Permits Section, Waste Permits Division
Texas Commission on Environmental Quality
12100 Park 35 Circle Building F
Austin, Texas 78753

Subject: City of Waco Landfill – Permit No. MSW-1039
Municipal Solid Waste (MSW) – McLennan County
Permit Modification to Remove Property from the Permit Boundary of the Closed
Landfill and Update to Permit Owner
RN106117625 / CN600131940

Dear Ms. Fritz:

On the behalf of the City of Waco (City), SCS Engineers (SCS) is requesting a permit modification for the City of Waco Landfill, TCEQ Permit No. MSW-1039 (landfill) in McLennan County in accordance with Texas Administration Code (TAC) §305.70(k)(13) and (j)(14). This permit modification is being requested in order to accomplish the following:

- Remove Arcosa Materials, Inc. (Arcosa, formerly Neely Sand and Gravel) from MSW Permit 1039 leaving the City of Waco as the sole owner of the landfill property and permit.
- Modify the permit boundary of the closed landfill to reflect the correct acreage of the property that was used as an MSW landfill by removing parcels that are not owned by the City of Waco, including approximately 20.7 acres owned by Arcosa and 0.34 acres owned by the State of Texas.

As such, this permit modification will correct the record regarding the landfill permit boundary and associated acreage. This is submitted as a permit modification requiring public notice. This letter request contains the background information and describes the requested changes to the permit boundary. We have attached supporting documents to clarify and support the request. These include:

- Attachment A contains Form TCEQ-20650, related to Permit/Registration Modification and Temporary Authorization Application Form for an MSW Facility, as well as the property owner affidavit from Arcosa, and which includes the chain of title showing that Arcosa is the successor to Neely Sand and Gravel.
- Attachment B contains an updated Core Data Form (TCEQ-10400).
- Attachment C contains a recent boundary survey for the current permit boundary.
- Attachment D contains a new metes and bound survey and legal description for the revised permit boundary requested by this permit modification.
- Attachment E is the current Permit and Affidavit to the Public filed by the City of Waco for the 44.74 acre landfill tract.
- Attachment F is the Soil Boring Plan and boring logs for selected locations along the southern and western boundary of the landfill permit boundary.
- Attachment G is the Landowners Map and List.
- Attachment H is the Evidence of Competency.

BACKGROUND AND SUMMARY OF REQUESTED CHANGES

The landfill is a closed landfill in post-closure care located on South University Drive (Farm-to-Market [FM] 3400), in Waco, Texas. The current permit boundary for the landfill is comprised of 64.71 acres, of which approximate 44.74 acres of the permit boundary was used for MSW disposal (see Attachment E – Permit and Affidavit to the Public with deed record of portion of land used for landfilling operations). The property owner affidavit describes the property ownership (see Attachment A), including the portion of the permit boundary that is outside of the disposal area that is owned by a separate entity (Arcosa). A recent boundary survey was performed for the landfill (see Attachment C), which shows the location and acreage of the parcels owned by City of Waco, Arcosa, and State of Texas that comprised the 64.71 permit boundary within the existing permit.

Specifically, this permit modification requests the removal of approximately 20.7 acres that is currently owned by Arcosa and 0.34 acres conveyed to State of Texas (Texas Department of Transportation, TXDOT) from the landfill permit boundary. The 20.7-acre and 0.34-acre parcels were not used for landfill disposal as demonstrated herein. Additionally, there is a small difference identified (survey error) between the historical permit boundary survey for the landfill and the more recent permit boundary survey prepared for this application.

Based on the proposed revisions to the permit boundary, the permit boundary for the landfill should reflect a total area of 43.482 acres as depicted on the metes and bound survey and legal description provided in Attachment D. In addition to the survey documents, we have included partial results from a recent subsurface investigation (Subchapter T request, approved by TCEQ on September 16, 2022, revised on October 6, 2022) that verify no waste was landfilled in the areas that are being removed from the permit boundary, as described below.

Additionally, this permit modification requests that Arcosa be removed from the permit as one of the owners, leaving the City of Waco as the sole owner of the closed landfill, TCEQ Permit No. MSW-1039.

Removal of 20.7-Acre Arcosa Property

The 20.7-acre parcel located along the south and southeast corner of the permit boundary that forms a wedge and panhandle shape, respectively, is being removed from the permit boundary as it was not used for waste disposal. The City filed an affidavit to the public in 1983 that describes the 44.74-acre landfill tract that was used for waste disposal and the 20.7 acres tract was excluded from the legal description of this affidavit, with the exception of approximately 0.77 acres to the south (wedge portion of this parcel). This property was originally owned by the Neely Sand and Gravel Company (Transit Mix Concrete and Materials) and Arcosa is the current owner.

Survey Adjustments to the Landfill Boundary

A boundary survey of the permitted area of the landfill was performed in 2022 (see Attachments C). The resulting boundary consists of 64.18 acres, including the 20.7-acre Arcosa property and excluding the 0.34-acre parcel conveyed to TXDOT. The original permit indicates the permit boundary is 64.71 acres and the 1983 affidavit to the public is for a 44.74-acre landfill tract (see Attachment E). The boundary survey contained in Attachment C depicts the small differences in the recent survey as compared to the historical permit documents, including 0.34-acre sliver along the western boundary parallel to FM-3400, which was conveyed to TXDOT for FM-3400 right-of-way (ROW) and 0.182-acre

sliver on the eastern boundary, which appears to be associated with a survey error from the historical boundary survey. These changes, including the removal of the 20.7-acre Arcosa parcel, will result in a landfill permit boundary 43.482 acres that is entirely owned by the City of Waco, as reflected in the new metes and boundary survey included in Attachment D.

Verification of No Waste within Arcosa (0.77-acre area) and TXDOT ROW (0.34-acre) Portions of the Property along Southern and Western Boundaries

As part of the recent subsurface investigation performed in October 2022, several shallow soil borings were performed along the southern property line to verify that no waste was landfilled in the area that will be removed from the permit boundary. Attachment F contains copies of the soil borings 31, 44 - 51, 55, and 56 along with the Soil Boring Plan. Based on these borings, no waste was encountered in the 0.77-acre area of Arcosa's property along the southern boundary (wedge portion of the property, see boring logs 44 - 51). Soil borings were also performed along the western boundary that indicated no waste was found at the 0.34-acre parcel conveyed to TxDOT along the existing FM-3400 ROW (see boring logs 31, 44, 55, and 56).

Lastly, in accordance with 30 TAC §330.59(h)(1), SCS has remitted payment of the \$150.00 application fee through e-Pay (see attached receipt).

If you have any questions related to the above described permit modification, please feel free to contact Mr. Ryan Kuntz, P.E. at 817-358-6117.

Sincerely,



Jeff Arrington, P.E.
Project Engineer
SCS Engineers
TBPE Registration No. F-3407



Ryan Kuntz, P.E.
Vice President / Satellite Office Manager
SCS Engineers

Enclosures: Attachments A through D

Cc: Mr. Charles Dowdell, City of Waco
Mr. Kody Petillo, City of Waco
TCEQ Regional Office 9

ATTACHMENT A
TCEQ FORM TCEQ-20650, E-PAY RECEIPT, AND PROPERTY OWNER
AFFIDAVIT



Texas Commission on Environmental Quality

Application Form for Municipal Solid Waste Permit or Registration Modification or Temporary Authorization

Application Tracking Information

Facility Name: City of Waco Landfill
Permittee or Registrant Name: City of Waco
MSW Authorization Number: 1039
Initial Submission Date: 11/17/2022
Revision Date: _____

Instructions for completing this form are provided in [form TCEQ-20650-instr](#)¹. If you have questions, contact the Municipal Solid Waste Permits Section by email to mswper@tceq.texas.gov, or by phone at 512-239-2335.

Application Data

1. Submission Type
<input checked="" type="checkbox"/> Initial Submission <input type="checkbox"/> Notice of Deficiency (NOD) Response
2. Authorization Type
<input checked="" type="checkbox"/> Permit <input type="checkbox"/> Registration
3. Application Type
<input type="checkbox"/> Modification with Public Notice <input type="checkbox"/> Modification without Public Notice
<input type="checkbox"/> Temporary Authorization (TA) <input checked="" type="checkbox"/> Modification for Name Change or Transfer
4. Application Fee
Amount The application fee for a modification or temporary authorization is \$150.
Payment Method
<input type="checkbox"/> Check
<input checked="" type="checkbox"/> Online through ePay portal www3.tceq.texas.gov/epay/
If paid online, enter ePay Trace Number: <u>582EA000513182</u>

¹ www.tceq.texas.gov/downloads/permitting/waste-permits/msw/forms/20650-instr.pdf

5. Application URL

For modifications that require notice (other than those for arid exempt landfills), provide the URL address of a publicly accessible internet web site where the application and all revisions to the application will be posted:

https://www.waco-texas.com/Transfer-Station-Permitting

6. Party Responsible for Mailing Notice

For modifications that require notice, indicate who will be responsible for mailing notice:

Applicant Agent in Service Consultant

Contact Name: SCS Engineers, Ryan Kuntz

Title: Vice President

Email Address: rkuntz@scsengineers.com

7. Confidential Documents

Does the application contain confidential documents?

Yes No

If "Yes", reference the confidential documents in the application, but submit the confidential documents as an attachment in a separate binder marked "CONFIDENTIAL."

8. Facility General Information

Facility Name: City of Waco Landfill

Contact Name: Kody Petillo Title: Director of Solid Waste

MSW Authorization Number (if existing): 1039

Regulated Entity Reference Number: **RN** 106117625

Physical or Street Address: S University Parks Drive

City: Waco County: McLennan State: TX Zip Code: 76712

Phone Number: 254-299-2623

Latitude (Degrees, Minutes Seconds): N 31°29'52"

Longitude (Degrees, Minutes Seconds): W 97°04'51"

9. Facility Types

Type I Type IV Type V

Type IAE Type IVAE Type VI

10. Description of the Revisions to the Facility

Provide a brief description of revisions to permit or registration conditions and supporting documents referred to by the permit or registration, and a reference to the specific provisions under which the modification or temporary authorization application is being made. Also, provide an explanation of why the modification or temporary authorization is needed:

Permit modification in accordance with Texas Administration Code (TAC) §305.70(k)(13) and 305.70(j)(14) to remove Neely Sand and Gravel, Inc. from the permit revise the permit boundary to reflect the area of landfill on property owned by the City of Waco.

11. Facility Contact Information

Site Operator (Permittee or Registrant)

Name: City of Waco

Customer Reference Number: **CN** 600131940

Contact Name: Kody Pettilo Title: Director of Solid Waste

Mailing Address: P.O. Box 2570

City: Waco County: McLennan State: TX Zip Code: 76702

Phone Number: 254-750-6627

Email Address: KodyP@wacotx.gov

Texas Secretary of State (SOS) Filing Number: _____

Operator (if different from *Site Operator*)

Name: Same as Site Operator

Customer Reference Number: **CN** _____

Contact Name: _____ Title: _____

Mailing Address: _____

City: _____ County: _____ State: _____ Zip Code: _____

Phone Number: _____

Email Address: _____

Texas Secretary of State (SOS) Filing Number: _____

Consultant (if applicable)

Firm Name: SCS Engineers

Consultant Name: Jeffery Arrington, P.E.

Texas Board of Professional Engineers Firm Registration Number: F-3407

Contact Name: Jeffery Arrington, P.E. Title: Project Manager

Mailing Address: 1901 Central Drive, Suite 550

City: Bedford County: Tarrant State: TX Zip Code: 76021

Phone Number: (817) 358-6111

Email Address: JArrington@scsengineers.com

Agent in Service (required for out-of-state applicants)

Name: _____

Mailing Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

12. Ownership Status of the Facility

Is this a modification that changes the legal description, the property owner, or the Site Operator (Permittee or Registrant)?

Yes No

If the answer is "No", skip this section.

Does the Site Operator (Permittee or Registrant) own all the facility units and all the facility property?

Yes No

If "No", provide the following information for other owners.

Owner Name: _____

Mailing Address: _____

City: _____ County: _____ State: TX Zip Code: _____

Phone Number: _____

Email Address: _____

Signature Page

Site Operator or Authorized Signatory

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Bradley Ford Title: City Manager

Email Address: bradleyf@wacotx.gov

Signature: [Handwritten Signature] Date: 11-16-22

Operator or Principal Executive Officer Designation of Authorized Signatory

To be completed by the operator if the application is signed by an authorized representative for the operator.

I hereby designate _____ as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my authorized representative in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

Operator or Principal Executive Officer Name: _____

Email Address: _____

Signature: _____ Date: _____

Notary

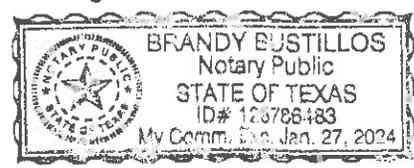
SUBSCRIBED AND SWORN to before me by the said Bradley Ford

On this 16th day of November 2022

My commission expires on the 27th day of January 2024

Brandy Bustillos

Notary Public in and for McLennan County, Texas



Note: Application Must Bear Signature and Seal of Notary Public

Attachments for Permit or Registration Modification with Public Notice

Refer to instruction document **200650-instr** for professional engineer seal requirements.

Attachments Table 1. Required attachments.

Required Attachments	Attachment Number
Land Ownership Map	
Landowners List	
Marked (Redline/Strikeout) Pages	
Unmarked Revised Pages	

Attachments Table 2. Additional attachments as applicable.

Additional Attachments as Applicable (select all that apply and add others as needed)	Attachment Number
<input type="checkbox"/> TCEQ Core Data Form(s)	
<input type="checkbox"/> Signatory Authority Delegation	
<input type="checkbox"/> Fee Payment Receipt	
<input type="checkbox"/> Confidential Documents	

Attachments for Permit or Registration Modification without Public Notice, or Temporary Authorization

Refer to instruction document **200650-instr** for professional engineer seal requirements.

Attachments Table 3. Required attachments for modifications.

Required Attachments for Modification	Attachment Number
Marked (Redline/Strikeout) Pages	
Unmarked Revised Pages	

Attachments Table 4. Additional attachments for modifications and temporary authorizations, as applicable.

Additional Attachments as Applicable (select all that apply and add others as needed)	Attachment Number
<input type="checkbox"/> TCEQ Core Data Form(s)	
<input type="checkbox"/> Signatory Authority Delegation	
<input type="checkbox"/> Fee Payment Receipt	
<input type="checkbox"/> Confidential Documents	

Attachments for Permit or Registration Name Change or Transfer Modification

Refer to instruction document **200650-instr** for professional engineer seal requirements.

Attachments Table 5. Required attachments.

Required Attachments	Attachment Number
TCEQ Core Data Form(s)	B
Property Legal Description	D
Property Metes and Bounds Description	D
Metes and Bounds Drawings	D
On-Site Easements Drawing	D
Land Ownership Map	G
Land Ownership List	G
Property Owner Affidavit	A
Verification of Legal Status	NA
Evidence of Competency	H

Attachments Table 6. Additional attachments as applicable.

Additional Attachments as Applicable (select all that apply and add others as needed)	Attachment Number
<input type="checkbox"/> Signatory Authority Delegation	
<input checked="" type="checkbox"/> Fee Payment Receipt	A
<input type="checkbox"/> Confidential Documents	
<input type="checkbox"/> Final Plat Record of Property	
<input type="checkbox"/> Assumed Name Certificate	

Your transaction is complete. Thank you for using TCEQ ePay.

Note: It may take up to 3 working days for this electronic payment to be processed and be reflected in the TCEQ ePay system. Print this receipt and the vouchers for your records. An email receipt has also been sent.

Transaction Information

Trace Number: 582EA000513182
Date: 11/11/2022 06:01 PM
Payment Method: CC - Authorization 0000006633
ePay Actor: KRYSTAL KUNTZ
Actor Email: kkuntz@scsengineers.com
IP: 99.48.161.145
TCEQ Amount: \$150.00
Texas.gov Price: \$153.63*

* This service is provided by Texas.gov, the official website of Texas. The price of this service includes funds that support the ongoing operations and enhancements of Texas.gov, which is provided by a third party in partnership with the State.

Payment Contact Information

Name: RYAN KUNTZ
Company: SCS ENGINEERS
Address: 1901 CENTRAL DRIVE SUITE 550, BEDFORD, TX 76021
Phone: 817-571-2288

Cart Items

Click on the voucher number to see the voucher details.

Voucher	Fee Description	AR Number	Amount
601275	NONHAZARDOUS WASTE PERMIT - MODIFICATIONS		\$100.00
601276	30 TAC 305.53B HWP NOTIFICATION FEE		\$50.00
TCEQ Amount:			\$150.00

[ePay Again](#) [Exit ePay](#)

Note: It may take up to 3 working days for this electronic payment to be processed and be reflected in the TCEQ ePay system. Print this receipt for your records.

PROPERTY OWNER AFFIDAVIT

I, Arcosa Materials, Inc., the owner of the property identified in Attachment 1 (the "Arcosa Property"), as shown in Attachment 2 (the "Chain of Title") and being a portion of the property described in Attachment 3 (the "Permit Boundary") hereby authorizes the City of Waco, Texas to:

- (1) Conduct a survey on and across the Arcosa Property;
- (2) Perform a geotechnical and site investigation on the Arcosa Property, including installation of soil borings;
- (3) File a permit modification or amendment to Solid Waste Permit No. 1039 to revise the permit boundary to remove the Arcosa Property from the Permit Boundary and correct any other errors related to historical surveys from said Permit Boundary; and
- (4) Apply for any necessary authorizations in order to conduct this project.

Arcosa Materials, Inc. acknowledges that, while it is the property owner, the City of Waco is responsible for maintaining the integrity of the final cover within the Arcosa Property over the closed MSW landfill.

Jerry McCalip

Printed or Typed Name of Property Owner

V. P.

Title

[Signature]

Signature

SUBSCRIBED AND SWORN to before me by the said Jerry McCalip

On this 28 day of June, 2022

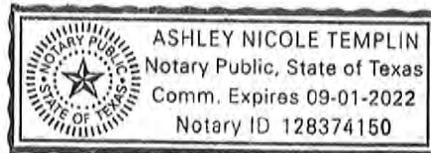
My commission expires on the 1st day of Sept, 2022

Ashley Nicole Templin

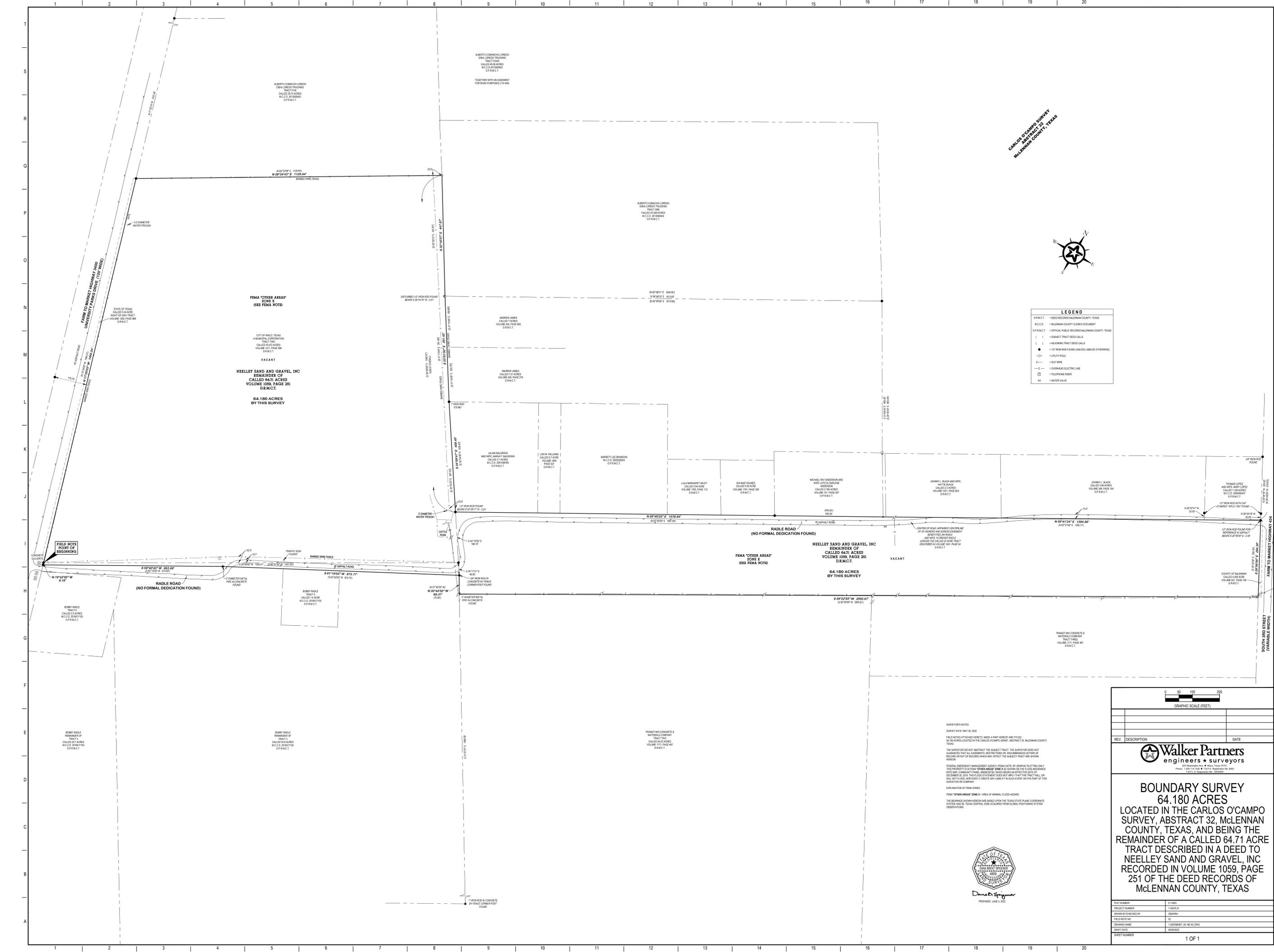
Notary Public in and for

Tarrant

County, Texas



ATTACHMENT 1
ARCOSA PROPERTY



CARLOS O'CAMPO SURVEY
 ABSTRACT 32
 McLENNAN COUNTY, TEXAS



LEGEND

- DEED RECORDS McLENNAN COUNTY, TEXAS
- McLENNAN COUNTY DEEDS DOCUMENT
- OFFICIAL PUBLIC RECORDS McLENNAN COUNTY, TEXAS
- () SUBJECT TRACT DEED CALLS
- () ADDITIONAL TRACT DEED CALLS
- 12" IRON ROD FOUND UNLESS OTHERWISE NOTED
- UTILITY POLE
- 120V WIRE
- OVERHEAD ELECTRIC LINE
- TELEPHONE WIRE
- WATER VALVE

FEMA "OTHER AREAS" ZONE X
 (SEE FEMA NOTE)

CITY OF WACO, TEXAS
 A MUNICIPAL CORPORATION
 TRACT TWO
 CALLED 45.7 ACRES
 VOLUME 1051, PAGE 399
 D.R.M.C.T.

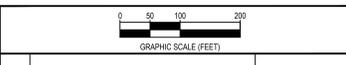
VACANT

NEELLEY SAND AND GRAVEL, INC
 REMAINDER OF
 CALLED 64.71 ACRES
 VOLUME 1059, PAGE 251
 D.R.M.C.T.

64.180 ACRES
 BY THIS SURVEY

NEELLEY SAND AND GRAVEL, INC
 REMAINDER OF
 CALLED 64.71 ACRES
 VOLUME 1059, PAGE 251
 D.R.M.C.T.

64.180 ACRES
 BY THIS SURVEY



REV	DESCRIPTION	DATE



BOUNDARY SURVEY
64.180 ACRES
 LOCATED IN THE CARLOS O'CAMPO SURVEY, ABSTRACT 32, McLENNAN COUNTY, TEXAS, AND BEING THE REMAINDER OF A CALLED 64.71 ACRE TRACT DESCRIBED IN A DEED TO NEELLEY SAND AND GRAVEL, INC RECORDED IN VOLUME 1059, PAGE 251 OF THE DEED RECORDS OF McLENNAN COUNTY, TEXAS

PLAT NUMBER	15-090
PROJECT NUMBER	1-280933
DRAWN BY CHECKED BY	DBR/HRH
FIELD NOTES NO.	08
DRAWING NAME	1-280933/64.180 ACRES
DRAWN DATE	06/05/2022
SHEET NUMBER	1 OF 1



SURVEYOR'S NOTES

SURVEY DATE: MAY 26, 2022

FIELD NOTES ATTACHED HERETO, MAKE A PART HEREOF AND TITLED: 64.180 ACRES LOCATED IN THE CARLOS O'CAMPO SURVEY, ABSTRACT 32, McLENNAN COUNTY, TEXAS.

THE SURVEYOR DOES NOT ABSTRACT THE SUBJECT TRACT. THE SURVEYOR DOES NOT WARRANT THAT ALL EASEMENTS, RESTRICTIONS OR ENCUMBRANCES EITHER OF RECORD OR NOT OF RECORD WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN HEREON.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) NOTE: BY GRAPHIC PLATTING ONLY THIS PROPERTY IS IN FEMA "OTHER AREAS" ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP "COMBINATION PANEL, AEGIS-2019" WHICH BECAME EFFECTIVE DATE OF DECEMBER 20, 2019. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THIS TRACT WILL OR WILL NOT BE DAMAGED IF THERE IS ANY LIABILITY TO SURVEYOR ON THE PART OF THE SURVEYOR OR CLIENT.

EXPLANATION OF FEMA ZONES:
 FEMA "OTHER AREAS" ZONE X - AREA OF MINIMAL FLOOD HAZARD
 THE BEARINGS SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM AND ALL TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.

ATTACHMENT 2

CHAIN OF TITLE

Based on the information found in the public record, the following represents the chain of title:

- Neelley Sand and Gravel, Inc. was the original owner of the full permit boundary;
- Neelley Sand and Gravel, Inc. conveyed a portion of the property to Waco in March, 1985, and retained the remainder of the property in the permit boundary;
- Neelley Sand and Gravel, Inc. merged with Waco Ready Mix Concrete, Inc.;
- Waco Ready Mix Concrete, Inc. merged with Redland Worth Corporation;
- Redland Worth Corporation changed its name to Redland Stone Products Company;
- Redland Stone Products Company conveyed the property to Transit Mix Concrete & Materials Company in February, 1993;
- Transit Mix Concrete Company changed its name to Transit Mix Concrete & Materials Company;
- Transit Mix Concrete & Materials Company changed its name to Trinity Construction Materials, Inc.; and
- Trinity Construction Materials, Inc. changed its name to Arcosa Materials, Inc.

Filed for Record on the 15 day of MARCH A.D. 1985 at 8:00 o'clock A M.
 Duly Recorded this the 15 day of MARCH A.D. 1985 at 11:0 o'clock P M.

FRANK DENNY, County Clerk
 McLennan County, Texas

By B. Martinez Deputy

6879 *Martinez*

WARRANTY DEED

THE STATE OF TEXAS)

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF McLENNAN)

That NEELLEY SAND & GRAVEL, INC., a Texas corporation, of Waco, McLennan County, Texas, for and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00), and other good and valuable considerations, to it cash in hand paid by the CITY OF WACO, Waco, Texas, a municipal corporation, the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto the said CITY OF WACO, Waco, Texas, a municipal corporation, P.O. Box 1370, Waco, McLennan County, Texas 76702-1370, all that certain piece, parcel or tract of land situate, lying and being in the County of McLennan, State of Texas, and being more particularly described as follows:

TRACT ONE:

BEING 40.917 acres of land more or less out of the Carlos O'Campo Grant Abstract No. 32 in McLennan County, Texas and being out of and a part of that certain 55.55 acres conveyed to Neelley Sand & Gravel, Inc., a corporation, by deed dated February 24, 1971 and recorded in Volume 1089, Page 218 of the McLennan County, Texas, Deed Records.

Commencing at a 1/2 inch iron pin found at the base of a large dead pecan tree marking the northwest corner of said 55.55 acres,
 THENCE S 28° 49' E 411.90 ft. along the west line of said 55.55 acres to a 1/2 inch iron pin set for the northwest corner of and Point of Beginning of this description,

THENCE N 87° 01' 32" E 1234.61 ft. to a 1/2 inch iron pin set for the northeast corner of this description,

THENCE S 32° 16' 32" E 1285.00 ft. to a 1/2 inch iron pin set in the south line of said 55.55 acres, a gravel public road, S 60° 30' W 31.84 ft. from its southeast corner for the southeast corner of this description,

THENCE S 60° 30' 00" W 1188.76 ft. along said road and said south line to a 1/2 inch iron pin set for the southwest corner of said 55.55 acres and the southwest corner of this description,

THENCE N 28° 49' 00" W (base bearing) 1835.00 ft. along the west line of said 55.55 acres to the Point of Beginning, as surveyed February 26, 1985, by Gale Arnold, Registered Public Surveyor #3879.

TRACT TWO:

BEING 43.472 acres of land more or less out of the Carlos O'Campo Grant Abstract No. 32 in McLennan County, Texas and being out of and a part of that certain 64.71 acres conveyed to Neelley Sand & Gravel, Inc., by deed dated October 7, 1969 and recorded in Volume 1059, Page 251 of the McLennan County, Texas, Deed Records.

BEGINNING at a 2" pipe found in concrete marking the most easterly northeast corner of said 64.71 acres for the northeast corner of this description,

THENCE S 30° 28' 12" E 447.87 ft. along an old fence line, an east line of said 64.71 acres, to a 1/2 inch iron pin set for corner,

THENCE S 31° 13' 40" E 391.48 ft. continuing along said fence to a 1 inch iron pin found for corner,

THENCE S 32° 22' 23" E 597.53 ft. continuing partway along said fence to a 1/2 inch iron pin for the southeast corner of this description,

THENCE S 60° 57' 52" W 1531.62 ft. to a 1/2 inch iron pin set in the east right-of-way line of F.M. Highway No. 3400 for the southwest corner of this description, said pin bears N 15° 34' W 8.48 ft. from the southeast corner of a 0.34 acre tract conveyed by said Neelley Sand & Gravel, Inc. to the State of Texas for right-of-way and recorded in Volume 1302, Page 869 of said county deed records,

THENCE N 15° 34' 00" (Base Bearing) 1464.31 ft. along said right-of-way, the east line of said 0.34 acres to a 1/2 inch iron pin set at the northeast corner of said 0.34 acres for the northwest corner of this description,

THENCE N 60° 23' 09" E 1129.64 ft. along an old fence line, the north line of said 64.71 acres to the Point of Beginning, as surveyed February 24, 1985, by Gale Arnold, Registered Public Surveyor #3879. Subject to the exceptions shown on Exhibit "A."

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 CITY OF WACO, Waco, Texas, a municipal corporation, its successors and assigns forever; and Neelley Sand & Gravel, Inc. does hereby bind itself, its successors and assigns, to Warrant and Forever Defend all and singular the said premises unto the said CITY OF WACO, Waco, Texas, a municipal corporation, its successors and assigns against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS its hand at Waco, Texas, this 12 day of March, 1985.

NEELLEY SAND & GRAVEL, INC.,
a Texas corporation

by [Signature]
President

ATTEST:
[Signature]
EX. V.P.

THE STATE OF TEXAS)
COUNTY OF McLENNAN)

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared William L. Lewie, Jr., President, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said Neelley Sand & Gravel, Inc., a Texas corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12 day of March, A.D. 1985.



[Signature]
Notary Public in and for
the State of Texas

ALEXANDER M. HAW
My commission expires 10-31-88

EXHIBIT "A"

1. Any visible and apparent roadway or easement over or across the subject property, the existence of which does not appear of record.
2. Easement to Texas Power and Light Company dated June 9, 1939, recorded in Vol. 476, Page 442, McLennan County Deed Records.
3. Easement to Texas Power and Light Company dated September 17, 1946, recorded in Vol. 582, Page 161, McLennan County Deed Records.
4. Easement to Texas Power and Light Company dated February 1, 1955, recorded in Vol. 763, Page 529, McLennan County Deed Records.
5. Easement to Texas Power and Light Company dated March 26, 1956, recorded in Vol. 789, Page 288, McLennan County Deed Records.
6. Easement to Texas Power and Light Company and Southwestern Bell Telephone Company dated October 28, 1964, recorded in Vol. 960, Page 416, McLennan County Deed Records.
7. Easement to Texas Power and Light Company and Southwestern Bell Telephone Company dated July 25, 1972, recorded in Vol. 1138, Page 74, McLennan County Deed Records.
8. Easement to Jim Radle and wife, Florence Radle dated October 20, 1969, recorded in Vol. 1061, Page 34, McLennan County Deed Records.

Filed for Record on the 15 day of MARCH A.D. 1985 at 8:00 o'clock A.M.

Duly Recorded this the 15 day of MARCH A.D. 1985 at 1:15 o'clock P.M.

FRANK DENNY, County Clerk
McLennan County, Texas

By B. Martinez Deputy

ARTICLES OF MERGER

FILED
In the Office of the
Secretary of State of Texas

of

NEELLEY SAND & GRAVEL, INCORPORATED
a Texas corporation ("NSG")

JUN 30 1986

Clerk IV-N
Corporations Section

into

WACO READY MIX CONCRETE, INC.
a Texas corporation ("WRMC")

pursuant to

Article 5.16 of the
Business Corporation Act
of the State of Texas

NSG and WRMC do hereby certify as follows:

1. NSG and WRMC are corporations organized under the laws of the State of Texas.

2. NSG has authority to issue 300,000 shares of common stock with a \$1.00 par value per share, of which 300,000 shares are issued and outstanding, and none of which are held as treasury shares.

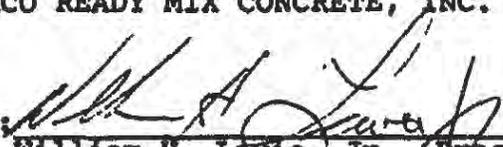
3. WRMC is the parent corporation of NSG and owns all of the 300,000 shares of common stock of NSG which are issued and outstanding.

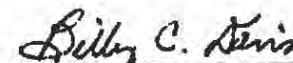
4. Attached hereto is a copy of an action of the Board of Directors of WRMC, adopted June 3, 1986, setting forth a resolution to merge NSG into WRMC.

5. The effective date of the merger shall be the date when all documents required by law have been duly filed with the Secretary of State of the State of Texas and a certificate of merger is issued.

IN WITNESS WHEREOF, WRMC has caused these ARTICLES OF MERGER to be signed by its officers, thereunto duly authorized as prescribed by the law of the State of Texas, as of this 3rd day of June, 1986.

WACO READY MIX CONCRETE, INC.

By: 
William H. Lewie, Jr., President

And 
Billy C. Davis, Secretary

STATE OF TEXAS §
COUNTY OF BEXAR §

Before me, a notary public in and for the State of Texas, personally appeared William H. Lewie, Jr., known to me to be the President of Waco Ready Mix Concrete, who executed the foregoing Articles of Merger and having been duly sworn and subscribed to, did acknowledge this to be his free and voluntary act and deed.

In testimony whereof, I have hereunto set my hand and official seal, this 3rd day of June, 1986.

Judy Pavelka
Notary Public, The State of Texas
Printed name of Notary:
Judy Pavelka
My commission expires: 10-31-89

STATE OF TEXAS §
COUNTY OF BEXAR §

Before me, a notary public in and for the State of Texas, personally appeared Billy C. Davis, known to me to be the Secretary of Waco Ready Mix Concrete, Inc., who executed the foregoing Articles of Merger and having been duly sworn and subscribed to, did acknowledge this to be his free and voluntary act and deed.

In testimony whereof, I have hereunto set my hand and official seal, this 3rd day of June, 1986.

Judy Pavelka
Notary Public, The State of Texas
Printed name of Notary:
Judy Pavelka
My commission expires: 10-31-89

WACO READY MIX CONCRETE, INC.

Written Consent of Board of Directors

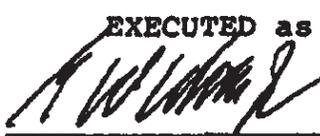
The undersigned, constituting all of the members of the Board of Directors of Waco Ready Mix Concrete, Inc., a Texas corporation ("Corporation"), hereby consent in writing to the following actions pursuant to Article 9.10 of the Business Corporation Act of the State of Texas:

RESOLVED, that it would be in the best interest of the Corporation to merge Neelley Sand & Gravel, Incorporated ("NSG"), a Texas corporation, all of whose issued and outstanding shares of stock are owned by Corporation, into the Corporation pursuant to the provisions of Article 5.16 of the Business Corporation Act of the State of Texas.

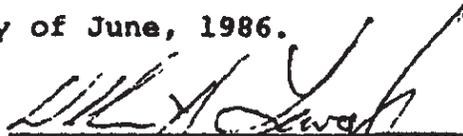
RESOLVED, that the officers of the Corporation and each of them, hereby are authorized, for and on behalf of the Corporation, to execute and deliver at such time as the officer executing the same shall deem appropriate, Articles of Merger and all other documents which may be necessary to effectuate the merger of NSG into the Corporation.

RESOLVED, that the merger of NSG into the Corporation shall be effective at the time all documents required by law are duly filed with the Secretary of State of the State of Texas and a certificate of merger is issued.

EXECUTED as of this 3rd day of June, 1986.



G. W. Worth, Jr.



William H. Lewie, Jr.



Melvin Douglas Riff



David L. Wenzel



William O. Russell

FILED
 In the Office of the
 Secretary of State of Texas
 DEC 31 1973
Bill Kimbrough
 Director, Corporation Division

ARTICLES OF MERGER OF DOMESTIC CORPORATIONS

Pursuant to the provisions of Article 5.04 of the Texas Business Corporation Act, the undersigned corporations adopt the following Articles of Merger for the purpose of merging them into one of such corporations:

1. The Plan of Merger, which is attached hereto as Exhibit "A" and hereby incorporated herein for all purposes, was approved by the shareholders of each of the undersigned corporations in the manner prescribed by the Texas Business Act.

2. Each of the undersigned corporations has only one class of stock. As to each of the undersigned corporations, the number of shares outstanding is as follows:

<u>Corporation</u>	<u>Outstanding Shares</u>
Waco Ready Mix Concrete, Inc.	450,000
Neelley Sand & Gravel, Incorporated	300,000

3. As to each corporation, the number of shares voted for and against such Plan, respectively, is as follows, such action in each case having been taken by written unanimous consent of the shareholders:

<u>Corporation</u>	<u>Number of Shares Outstanding</u>	<u>Total Voted for Plan</u>	<u>Total Voted Against Plan</u>
Waco Ready Mix Concrete, Inc.	450,000	450,000	None
Neelley Sand & Gravel, Incorporated	300,000	300,000	None

Dated: December 21, 1973.

WACO READY MIX CONCRETE, INC.

BY: *William Lewis, Jr.*
 William Lewis, Jr., President
 and

BY: *C. W. Alley*
 C. W. Alley, Secretary

NEELLEY SAND & GRAVEL, INCORPORATED

BY: *William Lewis, Jr.*
William Lewis, Jr., President
and

BY: *C. W. Alley*
C. W. Alley, Secretary

THE STATE OF TEXAS X
COUNTY OF McLENNAN X

21st The undersigned Notary Public does hereby certify that on this day of December, 1973, personally appeared before me William Lewis, Jr., who, being by me first duly sworn, declared that he is the President of Waco Ready Mix Concrete, Inc., that he signed the foregoing document as President of the Corporation and that the statements therein contained are true.

J. Rodney Lee
Notary Public in and for
McLennan County, Texas
J. Rodney Lee

THE STATE OF TEXAS X
COUNTY OF McLENNAN X

21st The undersigned Notary Public does hereby certify that on this day of December, 1973, personally appeared before me William Lewis, Jr., who, being by me first duly sworn, declared that he is the President of Neelley Sand & Gravel, Incorporated, that he signed the foregoing document as Secretary of the Corporation and that the statements therein contained are true.

J. Rodney Lee
Notary Public in and for
McLennan County, Texas
J. Rodney Lee

PLAN OF MERGER

1. The names of the corporations that are to be merged are Neelley Sand & Gravel, Incorporated (hereinafter called "Neelley Sand & Gravel") and Waco Ready Mix Concrete, Inc. (hereinafter called "Waco Ready Mix"). Both corporations were organized and are doing business under the laws of the State of Texas.

2. Neelley Sand & Gravel shall merge into Waco Ready Mix, Neelley Sand & Gravel to be the merging corporation and Waco Ready Mix to be the surviving corporation. Immediately following this merger, Waco Ready Mix shall transfer all of the assets received by the merger from Neelley Sand & Gravel to Newco, Inc. (hereinafter called "Newco"), a Texas corporation, in exchange for (i) 300,000 shares of the common capital stock of Newco having a par value of \$1.00 per share and (ii) the assumption of Newco of all of the debts and obligations of Neelley Sand & Gravel the payment of which Waco Ready Mix assumes by and through the merger.

3. The terms and conditions of the merger are as follows:

- (a) The merger shall be effective as of the close of business on December 31, 1973.
- (b) All of the assets of Neelley Sand & Gravel that it owns when it merges with Waco Ready Mix shall become the property of Waco Ready Mix and the officers of Neelley Sand & Gravel shall execute any and all instruments that are necessary to accomplish this.
- (c) Waco Ready Mix at the time of and by such merger shall assume payment of all debts and obligations of Neelley Sand & Gravel that are outstanding at the time of such merger and the officers of Waco Ready Mix shall execute any and all instruments that are necessary to accomplish this.
- (d) At the time of the merger and by and through the Articles of Merger, Article 6 of the Articles of Incorporation of Waco Ready Mix shall be amended to increase the aggregate number of shares, which the corporation is authorized to issue, to 1,000,000 shares having a par value of \$1.00 per share so that there will be authorized but unissued shares to issue in connection with the merger.
- (e) At the time of the merger, 106,666 shares of Waco Ready Mix capital stock having a par value of \$1.00 per share shall be issued by Waco Ready Mix and exchanged for the 300,000 shares of outstanding Neelley Sand & Gravel capital stock, each shareholder of Neelley Sand & Gravel to receive the number of shares of Waco Ready Mix stock specified by his name:

<u>Shareholders</u>	<u>Number of Shares</u>
R. W. Dial	35,750
William Lewie, Jr.	29,250
Richard C. Prater	29,250
C. W. Alley	6,500
Horace Latimer, Jr.	2,218
Horace Latimer, Jr. Trustee for Horace Edwin Latimer	370
Horace Latimer, Jr. Trustee for James Michael Latimer	370
W. O. Russell	2,958
	<u>106,666</u>

- (f) The Waco Ready Mix shareholders shall waive any preemptive rights which they have in the 106,666 shares.
- (g) No dividends, cash, stock or otherwise, shall be declared prior to such merger by either Neelley Sand & Gravel or Waco Ready Mix.
- (h) Upon such merger, the separate existence of Neelley Sand & Gravel shall cease.
- (i) Immediately following the merger, Waco Ready Mix shall transfer all of the assets received from Neelley Sand & Gravel to Newco in exchange for 300,000 shares of the common capital stock of Newco and the assumption by Newco of all of the debts and obligations of Neelley Sand & Gravel which Waco Ready Mix assumes the payment of in connection with the merger.
- (j) By and through the merger, the Neelley Sand and Gravel, Inc. Employees Profit-Sharing Plan and Trust entered into as of the 28th day of August, 1967, as amended, shall be transferred to Waco Ready Mix and immediately thereafter transferred to and adopted and continued by Newco, so that immediately following the merger and transfer to Newco, the Plan shall be considered to be the Plan of Newco, duly established and existing with respect to Newco and its employees. All accounts and participants of the Plan as they existed prior to the merger and the transfer thereof to Newco shall remain intact, with the employees of Neelley Sand & Gravel becoming the employees of Newco, with the employees who were participants in the Plan prior to the merger and transfer continuing to be the participants under the Plan, with the accounts as they existed prior to the merger and transfer becoming the accounts of the same respective employees of Newco, with Newco becoming the employees under the Plan, and with employment by Neelley Sand & Gravel being considered employment by Newco for purposes of the Plan. Further, Newco shall amend the Plan, effective as of the effective date of the merger, in such respects as shall be necessary to effectuate the foregoing.

4. The manner and basis of converting the shares of Neelley Sand & Gravel into shares of capital stock in Waco Ready Mix shall be as follows:

- (a) Waco Ready Mix shall issue 106,666 shares of its capital stock having a par value of \$1.00 per share to the shareholders of Neelley Sand & Gravel in accordance with Section 3(e) of this plan.
- (b) The shareholders of Neelley Sand & Gravel shall surrender for cancellation their 300,000 shares of Neelley Sand & Gravel capital stock.

5. The only change in the Articles of Incorporation of Waco Ready Mix which is to be effected by the merger is that Article 6 shall be amended to read as follows:

"6.

The aggregate number of shares which the corporation shall have authority to issue is 1,000,000 shares, of the par value of One Dollar (\$1.00) each."

ARTICLES OF MERGER

of

WACO READY MIX CONCRETE, INC.
a Texas corporation ("WRM")

into

REDLAND WORTH CORPORATION
a Texas corporation ("RWC")

pursuant to

Article 5.16 of the
Business Corporation Act
of the State of Texas

FILED
In the Office of the
Secretary of State of Texas

FEB 28 1990

Corporations Section

WRM and RWC do hereby certify as follows:

1. WRM and RWC are corporations organized under the laws of the State of Texas.

2. WRM has authority to issue 83,568 shares of common stock with a \$1.00 par value per share, of which 83,568 shares are issued and outstanding, and none of which are held as treasury shares.

3. RWC is the parent corporation of WRM and owns all of the 83,568 shares of common stock of WRM which are issued and outstanding.

4. Attached hereto is a copy of a Certificate of Secretary of RWC setting forth the resolutions taken by the Board of Directors of RWC on September 6, 1989 to merge WRM into RWC.

5. The effective date of the merger shall be the date when all documents required by law have been duly filed with the Secretary of State of the State of Texas and a certificate of merger is issued.

IN WITNESS WHEREOF, RWC has caused these Articles of Merger to be signed by its officers, thereunto duly authorized as prescribed by the laws of the State of Texas, as of this 26th day of February, 1990.

REDLAND WORTH CORPORATION

By: Carl A. Register
Carl A. Register, President

REDLAND WORTH CORPORATION

Certificate of Secretary

The undersigned David L. Wenzel, hereby certifies as follows:

1. He is the duly elected Secretary of Redland Worth Corporation, a Texas corporation ("RWC"), and as such is familiar with the corporate proceedings of RWC.

2. The following is a true and correct copy of a resolution adopted at a meeting of the Board of Directors of RWC, held on September 6, 1989:

RESOLVED, that it would be in the best interest of RWC to merge Waco Ready Mix Concrete, Inc. ("WRM"), a Texas corporation, all of whose issued and outstanding shares of stock are owned by RWC, into RWC;

RESOLVED, that the officers of the RWC and each of them, hereby are authorized, for and on behalf of RWC, to execute and deliver at such time as the officer executing the same shall deem appropriate, Articles of Merger and all other documents which may be necessary to effectuate the merger of WRM into RWC; and

RESOLVED, that the merger of WRM into RWC shall be effective at the time all documents required by law are duly filed with the Secretary of State of the State of Texas and a certificate of merger is issued.

3. The above quoted paragraph has not been amended, modified or repealed and is in full force and effect on the date hereof.

EXECUTED this 26th day of February, 1990.

David L. Wenzel

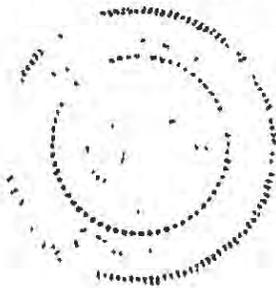
David L. Wenzel
Secretary

STATE OF TEXAS)
)
COUNTY OF BEKAR)

This Certificate of Secretary was acknowledged before me by David Wenzel, Secretary of Redland Worth Corporation, on the 27th day of February, 1990, on behalf of said corporation.

Shirley C. Bippert

Notary Public, State of Texas



ARTICLES OF AMENDMENT TO
THE ARTICLES OF INCORPORATION
OF
REDLAND WORTH CORPORATION

FILED
In the Office of the
Secretary of State of Texas

MAY 02 1990

Corporations Section

Pursuant to the provisions of Article 4.04 of the Texas Business Corporation Act, the undersigned Corporation hereby adopts the following Articles of Amendment to its Articles of Incorporation, which Amendment changes the name of the Corporation from Redland Worth Corporation to Redland Stone Products Company.

ARTICLE I.

The name of the Corporation is Redland Worth Corporation.

ARTICLE II.

The following Amendment to the Articles of Incorporation was adopted by the shareholders of the Corporation on April 19, 1990:

The Amendment alters or changes Article I of the original Articles of Incorporation, and Article I is hereby amended so as to read as follows:

"ARTICLE ONE

NAME. The name of the Corporation is Redland Stone Products Company."

ARTICLE III.

The number of shares of Common Stock of the Corporation outstanding at the time of such adoption was

100; and the number of shares of Common Stock entitled to vote thereon as one class was 100.

ARTICLE IV.

The holders of all of the shares of Common Stock of the Corporation outstanding and entitled to vote on said Amendment have signed a Unanimous Consent in writing adopting said Amendment.

Dated this 30th day of April, 1990.

REDLAND WORTH CORPORATION

By:

Carl A. Register
Carl A. Register, President

1669c

s-1669c

CORRECTION

3570

3107

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
COUNTY OF McCLENNAN § KNOW ALL MEN BY THESE PRESENTS: §

Redland Stone Products Company, a Texas corporation, as Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL, and CONVEY unto Transit Mix Concrete & Materials Company, a Delaware corporation, 2525 Stemmons Freeway, Dallas, Texas 75207, as Grantee, the following described property:

The property described in Exhibit "A" which is attached hereto and incorporated herein for all purposes (the "Property").

The conveyance of the Property is made subject to matters of record.

TO HAVE AND TO HOLD the Property together with all improvements situated thereon and all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, Grantee's successors and assigns, forever; and the undersigned Grantor does hereby bind Grantor, Grantor's successors and assigns, to Warrant and Forever Defend all and singular the Property unto the said Grantee, and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to matters of record, when the claim is by, through or under Grantor, but not otherwise.

EXECUTED on this the 30 day of February, 1993.

REDLAND STONE PRODUCTS COMPANY, a Texas Corporation

By: [Signature] President

This Correction Warranty Deed is filed to correct a clerical error in instrument recorded in Volume 1771, Page 23 of McLennan County Deed Records.

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

Before me, the undersigned authority on this day personally appeared Carl C. Foyel, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of REDLAND STONE PRODUCTS COMPANY, a Texas corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 3rd day of February, 1993.

Richard A. Fogel
Notary Public in and for the
State of Texas

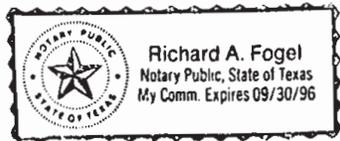


EXHIBIT "A"

TRACT A

BEING 13.987 acre tract or parcel of land lying and being situated in the M. Martinez Survey Abstract No. 24, McLennan County, Texas, and being part of the 15 acre tract of land conveyed to Clifton G. London and wife, Marie London described in the deed recorded in Vol. 445, page 228, of the Deed Records of McLennan County, Texas, and being more particularly described as follows:

BEGINNING at the iron rod set at the fence corner found marking the southeast corner of the beforementioned 15 acre tract;

THENCE 65 deg 18' 22" W along the fence found marking the south line of the beforementioned 15 acre tract for a distance of 253.54 ft. to an iron rod set for corner at the southeast corner of a 1.00 acre tract which is a part of the said 15 acre tract;

THENCE 28 DEG 00' 00" W ALONG THE NORTHEAST LINE OF THE BEFOREMENTIONED 1.00 ACRE TRACT FOR A DISTANCE OF 209.06 FT. TO AN IRON ROD SET FOR CORNER AT THE NORTH CORNER OF THE SAID 1.00 ACRE TRACT;

THENCE 65 deg 18' 22" W along the northwest line of the beforementioned 1.00 acre tract for a distance of 208.71 ft. to an iron rod set for corner at the west corner of the said 1.00 acre tract in the southwest line of the beforementioned 15 acre tract;

THENCE N 28 deg 00' 00" W along the beforementioned southwest line of the 15 acre tract for a distance of 724.27 ft. to an iron rod set for corner at the west corner of the said 15 acre tract;

THENCE N 63 deg 42' 43" E along the northwest line of the beforementioned 15 acre tract for a distance of 925.14 ft. to an iron rod set for corner at the northeast corner of the said 15 acre tract;

THENCE S 01 deg 34' 45" E along the east line of the beforementioned 15 acre tract for a distance of 1041.09 ft. to the place of beginning containing 13.987 acres of land more or less.

TRACT B

BEING 1.00 acre tract or parcel of land lying and being situated in the M. Martinez Survey Abstract No. 24 McLennan County, Texas, and being part of the 15 acre tract of land conveyed to Clifton G. London and wife, Marie London described in the deed recorded in Vol. 445, page 228, of the Deed Records of McLennan County, Texas and being more particularly described as follows:

BEGINNING at the iron rod set at the fence corner found marking the south corner of the beforementioned 15 acre tract;

THENCE N 28 deg 00' 00" W along the southwest line of the beforementioned 15 acre tract for a distance of 209.06 ft. to an iron rod set for corner;

THENCE N 65 deg 18' 22" E for a distance of 208.71 ft. to an iron set for corner;

THENCE S 28 deg 00' 00" E for a distance of 209.06 ft. to an iron rod set for corner in the southeast line of the beforementioned 15 acre tract;

THENCE S 65 deg 18' 22" W along the beforementioned southeast line of the 15 acre tract for a distance of 208.71 ft. to the place of beginning containing 1.00 acre of land more or less.

EXHIBIT "A"

BEING a tract of land containing 21.22 acres, more or less, being part of the Fannie Austin, et vir, First Tract, 10.72 acres, and Second Tract 10.72 acres, tracts described in a deed from L.R. Pettie, dated April 9, 1946, and recorded in Vol. 561 page 386, of the Deed Records of McLennan County, Texas, and part of the E.B. Baker 10.72 acre tract, described in a deed from Henry Johnson, dated December 6, 1923, and recorded in Vol. 379, page 618, of the Deed Records of said County, being out of the Carlos O'Campo Grant in said County.

BEGINNING at an iron stake at the point of intersection on the N line of said First Tract with the W line of proposed F.M. Hwy. # 3400 for NE corner of this;

THENCE S 15 deg 34' E 841.15 ft. along the W line of said proposed Hwy., to an iron stake at the point of intersection thereof, with the S line of said Second Tract, for the SE corner of this;

THENCE S 60 deg 41' W 1049.7 ft. along an old fence line on the S line of said Second Tract, to an iron pipe at the SW corner thereof, for SW corner of this;

THENCE along the W lines of said Second Tract, Baker Tract and First Tract N 24 deg 43' W 645.1 ft. to an iron stake by a fence post, and N 23 deg 52' W 195.3 ft. along a fence line on the W line of said First Tract to an iron stake at the NW corner thereof, for NW corner of this;

THENCE N 61 deg 41' E 1179.3 ft. along the N line of said First Tract, to the place of beginning.

Gf #93980043-5

EXHIBIT "A"

BEING 6.92 acres of land out of the T.J. Chambers Grant in McLennan County, Texas, and being a part of that certain 945 acre tract of land conveyed to Wm. Cameron Company, deed recorded in Vol. 667, page 584, of the McLennan County, Texas Deed Records;

BEGINNING at an iron stake in the DE line of the St. L & SW RR ROW 36.2 ft. in a Southwesterly direction from its intersection with the West or SW line of South 28th Street;

THENCE S 43 deg 09' E 50 ft. with a chain link fence to an iron stake for corner;

THENCE S 42 deg 17' W 100 ft. and S 43 deg 09' E 257.7 ft. to an iron stake in the South or SE line of the said Cameron Company tract, in the NW line of the M.K. & T. RR ROW, said point also being S 45 deg 45' W 142.5 ft. from the intersection of the NW line of the said ROW with the West or SW line of said south 28th Street;

THENCE S 45 deg 45' W 1051.5 ft. with the South or SE line of the said Cameron Company tract, the North or NW line of the said M.K. & T. RR ROW to a stake at the beginning of a curve to the left;

THENCE continuing with the North or NW line of the said M.K. & T. RR ROW around said curve to the left, a radius of 3920 ft. a distance of 625.3 ft. to an iron stake at the intersection with the NW line of the said ROW with the NE line of the said South 32nd Street, said South 32nd Street conveyed to the City of Waco by said Wm. Cameron Company, deed recorded in Vol. 777, page 625 of the said Deed Records;

THENCE N 45 deg W 20.7 ft. with the NE line of said South 32nd Street to an iron stake at its intersection with the SE line of the said St. L. & SW RR ROW;

THENCE in a Northeasterly direction around a curve to the right, radius of 9500 ft., and with SE line of the said ROW, a distance of 952.6 ft. to end of said curve, the tangents of said curve bearing N 27 deg 07' E and N 34 deg 35' E a distance of 623.14 ft.;

THENCE in a Northeasterly direction around a curve to the right radius of 6089.5 ft., and with the SE line of the said St. L. & SW RR ROW a distance of 866.5 ft. to the place of beginning said curve having a tangent of 600.19 ft. and said tangent bearing N 34 deg 35' E and N 45 deg 45' E.

BEING the same property conveyed by Willie Mae Neelley to Waco Ready Mix, Inc., in a deed dated December 29, 1972, recorded in Vol. 1135, page 855, Deed Records of McLennan County, Texas.

Correction

EXHIBIT "A"

TRACT A

BEING a tract of land out of the Lee R. Davis Survey in McLennan County, Texas, and being a part of a 0.57 acre tract conveyed to Pete Palasio by deed recorded in Vol. 560, page 119 of the McLennan County, Texas Deed Records, and being a part of a 1.63 acre tract of land conveyed to Palasio by deed recorded in Vol. 523, page 314 of the said deed records.

BEGINNING at a corner fence post at the NE corner of the said 0.57 acre tract and at an inner corner of a tract of a tract of land conveyed to T.E. Morris by deed recorded in Vol. 645, page 368 of the said deed records.

THENCE S 35 E 180 ft. with a fence line to an iron stake for corner;

THENCE S 56 W 154 ft. to an iron stake in a fence line to an iron stake for corner;

THENCE S 56 W 154 ft. to an iron stake in a fence line being in the common line between said Morris & Palasio tract, a fence line N 35 W 180 ft. N 60 1/2 E 102 ft. N 30 W 12 ft. and N 60 1/2 E 52.5 ft. to the place of beginning.

SAVE AND EXCEPT that portion conveyed by Waco Ready Mix Concrete In. to R.L. Drummond by Warranty Deed recorded in Vol. 811 page 53 of the McLennan County, Texas Deed Records.

TRACT B

BEING out of the Lee Davis Survey and being the West 52 ft. of a tract of land conveyed by L.E. Peacock and wife, Georgia L. Peacock by deed dated July 22, 1953, and recorded in Vol. 724, page 527, of the McLennan County, Texas Deed Records; said property to be taken by drawing a line parallel with the West of said Waco Ready Mix Concrete Tract and 52 ft. to the East thereof, the tract hereby conveyed being all of said Waco Ready Mix Concrete, Inc. tract West of said parallel line.

BEING a part of the Lee Davis Survey in McLennan County, Texas, BEGINNING at the NW corner of a tract of land conveyed to H.C. Blaize, by deed of record in Vol. 804 page 103 of the McLennan County, Texas Deed Records;

THENCE N 57 deg 58' East 52 ft. to an inner corner of a tract owned by H.C. Blaize;

THENCE N 29 deg 47' W 185 ft. with the West line of a tract of land owned by H.C. Blaize to point for corner;

THENCE S 57 deg 58' W 52 ft., more or less, to the NE corner of

the tract of land corner conveyed by L.E. Peacock and wife Georgia L. Peacock to Waco Ready Mix Concrete, Inc., by deed dated July 22, 1953, recorded in Vol. 724, page 527 of the Deed Records of McLennan County, Texas;

THENCE in a Southeasterly direction with the East line of said Waco Ready Mix Concrete Inc. tract to a point of beginning.

EXHIBIT "A"

BEING a piece or parcel of land lying and being situate in the State of Texas, County of McLennan, being South of the City of Waco, and being Forty (40) acres out of an 113 acre tract heretofore conveyed by W.P. Jones, et al to Hobert Trammell by deed recorded in Vol. 457, page 177, Deed Records of McLennan County, Texas, which record is made a part hereof, the land herein conveyed being in the Western end of said 113 acre tract and being more particularly, described as follows:

BEGINNING at a post in the S line of a public road at NW corner of said 113 acres;

THENCE N 61 E along S line of said road 488 vrs to stake for corner;

THENCE S 29 E 467 vrs to stake in S line of the said 113 acres and in N line of the Cherry Tract;

THENCE S 62 W passing NW corner of said Cherry tract 488 vrs to stake at SW corner of said 113 acres;

THENCE N 29 W 459 vrs to the place of beginning, being the identical property conveyed by John Adolf Schmidt, a single man, to E.C. Hardin and C.F. Jackson by deed dated March 15, 1947, recorded in Vol. 583, page 558, Deed Records of McLennan County, Texas.

EXHIBIT "A"

Being 112.729 acres of land, more or less, in the M. Martinez Grant, McLennan County, Texas, being out of the Justin B. Rosenfeld 116.29 acre tract as recorded in Volume 1242, page 253 of the McLennan County, Texas Deed Records, and the Justin B. Rosenfeld 251.2 acre tract as recorded in Volume 1052, page 13 of said Deed Records and being more particularly described by metes and bounds as follows: Beginning at an iron rod at a fence corner for the southwest corner of said 251.2 acre tract and the southeast corner of the Mt. Pleasant Baptist Church 11.86 acre tract (216-434). Thence N 30 deg. 46' 37" W, with a fence line and with the west line of said 251.2 acre tract, a distance of 846.87 feet to an iron rod in the east line of F.M. Highway #434 (70 foot right-of-way) for the northerly corner of the Union Burial Aid Association 0.915 acre tract (331-604). Thence The following courses and distances with the said east line of F.M. Highway #434; 1) Curve to the right with radius of 7604.37 feet, chord bears N 09 deg. 53' 03" E 291.75 feet, an arc length of 291.77 feet to an iron rod. 2) N 10 deg 59' E, 300.31 feet to an iron rod. 3) N 10 deg. 52' E 566.97 feet to an iron rod. 4.) Curve to the right with radius of 3784.83 feet, chord bears N 13 deg. 31' E 349.98 feet, an arc length of 350.10 feet to an iron rod. 5) N 16 deg. 10' E, 294.68 feet to an iron rod. 6) Curve to the left with radius of 3854.83 feet, chord bears N 13 deg. 28' E 363.17 feet, an arc length of 363.30 feet to an iron rod. 7) N 10 deg. 46' E, 459.22 feet to an iron rod for northwest corner of the herein described tract. Thence: N 78 deg. 53' 47" E with north line of the herein described tract, a distance of 363.78 feet to an iron rod for corner; Thence: S 20 deg. 29' 15" E, with an east line of the herein described tract, a distance of 1301.57 feet to an iron rod for ell corner. Thence: N 61 deg. 48' 06" E, with a fence line and with the common line of aforesaid 116.29 and 251.2 acre tracts, a distance of 1167.98 feet to an iron rod for northeasterly corner of the herein described tract. Thence: The following courses and distances with a fence line and with the most easterly line of the herein described tract; 1) S 02 deg. 40' 36" E, 580.85 feet to an iron rod at the base of a Pecan tree. 2) S 06 deg. 34' 03" W, 656.12 feet to an iron rod. 3) S 79 deg. 28' 55" E, 67.34 feet to an iron rod. 4) S 06 deg. 36' 58" W, 458.72 feet to an iron rod at a fence corner for the southeast corner of the herein described tract. Thence: S 62 deg. 35' 16" W, with a fence line and with the South line of said 251.2 acre tract, a distance of 2165.54 feet to the place of beginning.

EXHIBIT "A"

Being out of the Carlos O'Campo Grant or the M. Martinez Grant on the West side of the Brazos River, about six miles South of Waco, a part of the Joe Crane Tract, and being 25.78 acres, more or less, out of a 27.78 acres tract, said 27.78 acres tract being described as follows: BEGINNING at a stake at the Southwest corner of a 20 acres survey owned by Crawford Johnson, for Northwest corner of this; Thence S 28 deg. E with the West line of said 20 acre tract 364 vrs. to the Northwest corner of a 20 acre survey for Southwest corner of this; Thence N 62 deg. E 400 vrs. to a stake for Southeast corner of this; Thence N 28 deg. W 364 vrs. to stake for Northeast corner of this; Thence S 62 deg. W passing the Southeast corner of a 20 acre survey owned by Crawford Johnson at 52.56 vrs. and on with the South line of said survey 400 vrs. in all, to its Southwest corner and beginning corner of this, containing 27.78 acres of land, and being the same land conveyed to Leroy Taylor by two Trustee's Deeds, each of date February 7, 1933, and being recorded in Volume 431, page 247 and in Volume 431, page 249, respectively, of McLennan County Trustee's Deed Records.

There is to be excepted out of the above 27.78 acre tract of land a certain two acre tract conveyed by Leroy Taylor and wife, to Beatrice Henderson, et al., on March 25, 1984, by Deed recorded in Volume 517, page 220 of McLennan County Deed Records, said two acres of land is described as follows: Beginning at a stake in the Northeast line of said 27.78 acre tract, which is also the Southwest line of the Cherry 61.8 acre tract, said stake being 20 feet (7.2 vrs.) S 28 deg. E from the North corner of said 27.78 acre tract (same designated in Trustee's two deed Volume 431-247 and Volume 431-249 said deed records (respectively), as the Northeast corner of said tract) said stake being the North corner of the 2 acres herein described; Thence S 62 deg. W parallel with and 20 feet from the Northwest line of said 27.78 acre tract 414.85 feet (149-1/3 vrs.) to stake for West corner of this; Thence S 28 deg. E 210 feet (75.6 vrs.) to stake for South corner of this; Thence N 62 deg. E 414.85 feet (149-1/3) vrs.) to stake for East corner of this in said Cherry's Southwest line; Thence along said Cherry Southwest line 210 feet (75.6 vrs.) to the place of beginning, containing two (2) acres of land.

And being the same property described in deed by Leroy Taylor and wife, Christine Taylor, to Preston S. Lewis and wife, Margaret E. Lewis, of date September 28, 1950, of record in Volume 663, page 226 of the Deed Records of McLennan County, Texas.

And being the same property conveyed by Preston S. Lewis and wife, Margaret E. Lewis, to Frank Smith and Sons, a co-partnership composed of Frank H. Smith and others named in deed dated January 20, 1954, of record in Volume 734, page 230, Deed Records of McLennan County, Texas.

EXHIBIT "A"

BEING two tract or parcels of land, situated, lying and being in the County of McLennan, State of Texas, and out of that certain 5.075 acre tract described in a deed from Jay F. Sauls to William Polk et ux as recorded in Vol. 1312, page 620 of the Deed Records of McLennan County, Texas described by metes and bounds as follows:

TRACT A

BEING 2.74 acres of land West of F.M. # 3400, beginning at an iron stake being the NW corner of said 5.075 acre tract;

THENCE N 61 deg 26' E with the N line of said tract a distance of 1034.26 ft. to an iron stake for a corner being in the West R.O.W. of said F.M. # 3400;

THENCE S 15 deg 34' E with said W R.O.W. line a distance of 120.31 ft. to an iron stake for a corner being in the S line of said tract;

THENCE S 61 deg 38' W with the S line of said tract a distance of 1009.64 ft, to an iron stake for a corner being the SW corner of said tract;

THENCE N 27 deg 22' W with the W line of said tract a distance of 116.62 ft. to the place beginning containing 2.74 acres of land more or less.

TRACT B

BEING 1.91 acres of land East of F.M. # 3400;

BEGINNING at an iron stake being the NE corner of said 5.075 acre tract being also in the W line of a public Road;

THENCE S 30 deg 18' E with said W road line a distance of 116.62 ft. to an iron stake for a corner;

THENCE S 61 deg 55' W with the S line of said 5.075 acre tract a distance of 725.6 ft. to an iron stake for a corner being in the E R.O.W. line of F.M. # 3400;

THENCE N 15 deg 34' W with said E. R.O.W. a distance of 120.31 ft. to an iron stake for a corner being in the N line of said 5.075 acre tract;

THENCE N 62 deg E with the N line of said tract a distance of 695.0 ft. to the place of beginning containing 1.91 acres of land, more or less.

Both tract described above being the same property described in a deed from William Polls et ux, to Neelley Sand and Gravel, Inc., dated May 8, 1981, recorded in Vol. 1381, page 28, Deed Records of McLennan County, Texas.

EXHIBIT "A"

BEING 7.42 acres of land lying and being situated in Carlos O'Campo Survey 32 McLennan County, Texas being part of that certain tract of land conveyed from Waco Savings and Loan Association to John F. Veracruz et ux recorded December 1, 1979, in Vol. 1106, page 369, of the Deed Records of McLennan County, Texas being described by metes and bounds as follows:

BEGINNING at iron stake being the NW corner of said Veracruz tract;

THENCE N 61 deg 30' E with north line of said tract and fence line a distance of 1216.22 ft, to an iron stake for a corner being in the West ROW of F.M. 3400;

THENCE S 15 deg 34' E with West ROW a distance of 278.22 ft. to an iron stake for a corner being in the south line of said tract;

THENCE S 61 deg 39' W with said south line a distance of 1179.44 ft. to an iron stake for a corner being the SW corner of said tract;

THENCE N 23 deg 04' W with west line and fence line of said tract a distance of 269.28 ft. to place of beginning containing 7.42 acres of land more or less.

EXHIBIT "A"

BEING all that certain real property situated lying and being in McLennan County, Texas and more particularly described as follows to-wit:

All that certain piece or parcel of land situate, lying and being in the County of McLennan, State of Texas, being Tract One containing 10.72 acres set apart to Temple A. Flennoy as an heir of Crawford Johnson, Deceased in the Subdivision of the residue of said Crawford Johnson Tract on the Carlos O'Campo Grant and

BEGINNING at a stake in the E line of said tract at a point which is the NE corner of said tract;

THENCE S 28 E 99.9 vrs to stake at NE corner of Tract No 2 of said Subdivision;

THENCE S 62 W 646 vrs crossing the S.S. & A.P.R.R. to stake in W line of said Johnson tract at NW corner of said Tract 2;

THENCE N 23 W 100 vrs to stake at SW corner of said Crawford Johnson Tract and the NW corner of Tract 1;

THENCE N 62 E 637 vrs to place of beginning the field notes for the above described tract being taken from a survey made by Joe Goddard, County Surveyor of McLennan County, Texas, on November 30, 1915, and being the identical property described in deed from B.R. Goldberg et ux to Douglas Scott et ux dated June 10, 1950 recorded in Volume 656, page 632, of the McLennan County Deed Records;

SAVE AND EXCEPT those tracts conveyed to McLennan County in Volume 1298, page 7, McLennan County Deed Records and that tract conveyed to Neelley Sand & Gravel, Inc. in Volume 1369, page 699, McLennan County Deed Records, hereby conveyed a residue of 3.18 acres, more or less.

EXHIBIT "A"

Being all that certain tract or parcel of land situate, lying and being in the County of McLennan, State of Texas, and described as follows:

Being the same land heretofore conveyed to W.M. Holloway by deed dated August 1, 1980, and recorded in Volume 77, Page 51, of the Deed Records of McLennan County, Texas, and being more particularly described by metes and bounds as follows:

Being Ten (10) acres of land, same being the Eastern end of a Twenty (20) acre tract conveyed by W.G. Daniels to Crawford Johnson, and beginning at the Northeast corner of said Twenty (20) acres;

THENCE S 28 E 415 vrs. to SE corner of said Twenty (20) acres;

THENCE S 62 W 136 vrs.

THENCE N 28 W 418 vrs.

THENCE N 62 E 136 vrs. to the place of beginning, and containing Ten (10) acres, more or less.

EXHIBIT "A"

BEING 9.27 acres of land in the Carlos O'Campo Grant in McLennan County, Texas, being part of that certain 15.00 acre tract described as First Tract conveyed to C.G. Howell, et ux, from Burman L. Black, et ux by Warranty Deed as recorded in Vol. 1141, page 463, Deed Records of McLennan County, Texas, being described by metes and bounds as follows:

BEGINNING at the Southeast corner of said 15.00 acre First Tract;

THENCE S 61 deg 56' W with South line of said First Tract a distance of 1122.9 ft. to an iron stake for a corner;

THENCE N 31 deg 19' W a distance of 361.6 ft. to an iron stake for a corner being in the north line of said First Tract a distance of 1118.8 ft. to an iron stake for a corner being the northeast corner of said First Tract;

THENCE S 31 deg 59' E with east line of said First Tract a distance of 360.6 ft. to place of beginning, containing 9.27 acres of land, more or less.

EXHIBIT "A"

BEING 6.496 acres of land in the Carlos O'Campo Grant in McLennan County, Texas, being 91) that certain 15.00 acre tract described as First Tract conveyed to C.G. Howell, et ux, from Burman L. Black, et ux, by Warranty Deed records in Vol. 1141, page 463, Deed Records of McLennan County, Texas SAVE AND EXCEPT the 9.27 acres of land that were conveyed by Warranty Deed to Neelley Sand and Gravel Inc., by Deed dated January 9, 1980, recorded in Vol. 1338, page 792, Deed Records of McLennan County, Texas; and (2) that certain 0.766 acre tract of land described as Second Tract in said Warranty Deed recorded in Vol. 1141, page 463, Deed Records of McLennan County, Texas.

EXHIBIT "A"

BEING 40.0 acre tract of land out of the Carlos O'Campo and M. Martinez Surveys in McLennan County, Texas and being a part of that certain 46.20 acre tract of land conveyed to David W. Stodghill by deed recorded in Vol. 1207, page 223, Deed Records of McLennan County, Texas;

BEGINNING at an iron pin at a fence corner, at the NW corner of said 46.20 acre tract, for the NW corner of this;

THENCE N 62 deg 23' E 2546.54 ft. with a fence line, the N line of said 46.20 acre tract to an iron pin for the NE corner of this;

THENCE S 21 deg 12' W 1279.26 ft. to an iron pin in a fence line, the S line of said 46.20 acre tract for the SE corner of this;

THENCE S 62 deg 21' W 1588.66 ft. with a fence line, the S line of said 46.20 acre tract to an iron pin at its SW corner for the SW corner of this;

THENCE N 27 deg 17' W 843.30 ft. in a fence line, the W line of said 46.20 acre tract to the point of beginning; and as an easement appurtenant to and for the benefit of the above described tract a 50 ft. ingress and egress easement over the following described tract; A centerline description of a 50 ft. Ingress and Egress Easement across a part of the M. Martinez Survey in McLennan County, Texas, and across a part of that certain 46.2 acre tract of land conveyed to David W. Stodghill by Deed Records in Vol 1207, page 223, Deed Records of McLennan County, Texas, and also across a part of that certain 0.78 acre tract of land conveyed to said David W. Stodghill by deed recorded in Vol. 1230, page 858, Deed Records of McLennan County, Texas;

BEGINNING at a point in the W right of way line of F.M. Hwy. # 434 and in the E line of said 0.78 acre tract at a point N 16 deg 59' E 35.13 ft. from its SE corner for the beginning point of herein described centerline;

THENCE S 62 deg 21' W 25.0 ft. N of and parallel to the S line of said 0.78 acre tract and 46.2 acre tract, 601.64 ft. to the point of ending of herein described centerline, said easement being 25.0 ft. on each said centerline.

EXHIBIT "A"

BEING 14.633 acres of land out of the Carlos O'Campo Grant in McLennan County, Texas being the residue of a 55.55 acre tract of land conveyed to Neelley Sand & Gravel, Inc., as per plat recorded in Vol. 1089, page 218, McLennan County Deed Records, from which 40.917 acres were conveyed to City of Waco in Vol. 1511, page 299, McLennan County Deed Records.

EXHIBIT "A"

BEING a parcel or tract of land consisting of 10.0 acres out of the Carlos O'Campo Grant, in McLennan County, Texas, and being a part of that certain 45 acre tract of land described as First Tract in deed to Jess Radle and recorded in Vol.672, page 96 of the McLennan County Deed Records.

BEGINNING at an iron stake in the West line of South Third Street Road (FM No. 434) at its intersection with the North line of the said 45 acre tract;

THENCE S 27 deg 07' E 139.32 vrs. with the West line of the said South Third Street to an iron stake for the Southeast corner of this;

THENCE S 61 deg 12' W 405.35 vrs parallel with the North line of the said 45acre tract to an iron stake for the Southwest corner of this;

THENCE N 27 deg 07' W 139.32 vrs to an iron stake for the Northwest corner of this in the North line of the said 45 acre tract;

THENCE N 61 deg 12' E 405.35 vrs with the North line of the said 45 acre tract to the place of beginning, and being the same property described in fieldnotes prepared by Uran, Soules & Co. Inc., Registered Public Surveyors, April 5, 1963.

BEING the same land described in a Deed from Jess Radle et alius to Neelley Sand & Gravel Inc. dated April 12, 1963 recorded in Vol. 920, page 668, Deed Records of McLennan County, Texas.

EXHIBIT "A"

BEING the following tract of land conveyed to Neelley Sand and Gravel, Inc. by deed recorded in Volume 1084, page 31, McLennan County Deed Records.

TRACT TWO:

BEING a part of the Carlos O'Campo Tract in McLennan County, Texas, being the West one-half of 110 acre tract conveyed to said Dryden and Lockett by G.S. Ridley and T.H. Harrison;

BEGINNING at the SW corner of the J.V. Smith 20 acre tract in East line of the A. Connally 54 acre tract it being the NW corner of said 110 acre tract;

THENCE S 30 E 572 1/2 vrs to stake in old hedge row whence Bois d'Arc 14' in dia brs S 61 W 3 vrs;

THENCE N 62 1/2 E 516 1/2 vrs to stake for corner;

THENCE N 27 W 585 vrs to stake in S line of said 20 acre tract;

THENCE S 61 1/2 W 548 1/2 vrs to beginning, containing 55.02 acres of land, being the same land described in deed in Vol. 234, page 350, McLennan County Deed Records, and being more fully and particularly described in a deed from C.A. Hinze and Johanne Hinze to Thomas I. Lockett, dated November 26, 1913, and recorded in Book 262, page 618, in McLennan County Deed Records, reference being here made to said deed as they are they are recorded for more particular description.

TRACT THREE:

BEING a part of the Carlo O'Campo grant in McLennan County, Texas,

BEGINNING at the NE corner of a 55.02 acre tract heretofore sold to us by said Lockett, et al, as shown by deed recorded in Vol. 234, page 349, of McLennan County Deed Records;

THENCE S 62 1/2 W 527 1/2 vrs to the NW corner of said tract;

THENCE with its west line S 27 E 107 1/2 vrs more or less to the NW corner of a 45 acre tract out of said 55.02 acre tract heretofore sold by us to C. Frosch;

THENCE N 61 E 527 1/2 vrs to the NE corner of said Frosch tract;

THENCE N 27 1/2 W to the beginning, being all of said 55.02 acre tract remaining after taking therefrom C. Frosch tract, and being more particularly described in deed dated November 22, 1913, from F.F. Pfeffer and Auguste Pfeffer to Thomas I. Lockett, and recorded in Book 262, page 619 in McLennan County Deed Records, reference being here made to said deed as they are recorded for the purpose of a more particular description.

EXHIBIT "A"

BEING 64.71 acres of land out of the Carlos O'Campo Grant in McLennan County, Texas and being a part of those certain tracts of land described as being First, Second, Third and Fourth Tracts by deeds to Jim Radle and recorded in Vol. 855, page 426 and Vol. 916, page 72, of the McLennan County, Texas deed Records, respectfully.

BEGINNING at an iron stake in the west line of Farm-to-Market Road # 434 sometimes known and referred to as the South 3rd Street Road, at its point of intersection with the south line of the Second Tract for the southeast corner of this; said point of beginning also being the southwest corner of that certain 0.056 acre tract of land conveyed to the McLennan County, Texas by deed recorded in Vol. 621, page 185, of the said deed records:

THENCE S 62 deg W 2950.67 ft. (1062.24 vrs) with the south line of the said Second Tract an old fence line to an iron stake at its southwest corner;

THENCE N 27 deg 45' W 70 ft. (25.2 vrs) S 63 deg 55' W 874.72 ft. (314.9 vrs) and S 62 deg 15' W 674.83 ft. (242.94 vrs) to an iron stake in the east line of the S.A. & A.P. Railroad right-of-way and the west lines of the said Fourth and First Tracts to an iron stake for the northeast corner of this; said stake being the northwest corner of the said First Tract;

THENCE N 61 deg 15' E 1140.8 ft. (410.69 vrs) with the north line of the said First Tract an old fence line to an iron stake at its northeast corner;

THENCE S 30 deg 28' E 1248.07 ft. (449.31 vrs) with the east line of the said First Tract and along a meandering fence line to an iron stake at its southeast corner and at the northwest corner of the said Second Tract;

THENCE along a fence line the north line of the said Second Tract N 62 deg 26' E 1581.90 ft. (569.48 vrs) and N 62 deg 21' E 1392.77 ft. (501.4 vrs) to an iron stake in the west line of the said F.M. Road # 434 and at the northwest corner of the said McLennan County, Texas Tract;

THENCE S 26 deg E 284.3 ft. (102.35 vrs) with the west line of the said F.M. Road # 434 and the west line of the said McLennan County, Texas Tract to the point of beginning.

SAVE AND EXCEPT:

BEING 43.472 acres of land more or less out of the Carlos O'Campo Grant Abstract No. 32 in McLennan County, Texas and being out of and a part of that certain 64.71 acres conveyed to Neelley Sand & Gravel, Inc., by deed dated October 7, 1969 and recorded in Vol. 1059, page 251 of the McLennan County, Texas, Deed Records;

BEGINNING at a 2" pipe found in concrete marking the most easterly northeast corner of said 64.71 acres for the northeast

corner of this description;

THENCE S 30 deg 28' 12" E 447.87 ft. along an old fence line, an east line of said 64.71 acres to a 1/2 inch iron pin set for corner;
/ THENCE S 31 deg 13' 40" E
391.48 ft. continuing along said fence to a 1 inch iron pin found for corner;

THENCE S 32 deg 22' 23" E 597.53 ft. continuing partway along said fence to a 1/2 inch iron pin for the southeast corner of this description;

THENCE S 60 deg 57' 52" W 1531.62 ft. to a 1/2 inch iron pin set in the east right-of-way line of F.M. Highway No. 3400 for the south west corner of this description, said pin bears N 15 deg 34' W 8.48 ft. from the southeast corner of a 0.34 acre tract conveyed by said Neelley Sand & Gravel Inc. to the State of Texas for right-of-way and recorded in Vol. 1302, page 869 of said County Deed Records.

EXHIBIT "A"

BEING all that certain lot, tract or parcel of land, lying, being and situated in the County of McLennan and State of Texas, and being a part of the old Swartswalder tract on the Carlos O'Campo Grant, and being the same tract described in a deed from J.M. Thompson et al to Jno B. Fisher, by deed recorded in Vol. 439, page 631, of the Deed Records of McLennan County, Texas;

BEGINNING at a point in the center of a road leading from South 3rd Street Road South 12th Street Road for SE corner;

THENCE S 60 deg W 1219 vrs to the East line of right-of-way of the S.A. & A.P.R.R.;

THENCE N 14 3/4 deg W along said line, 479 vrs to post for NW corner;

THENCE N 60 deg E 879 vrs to post in the West line of the W.H. Jenkins Tract;

THENCE S 64 deg E 104 vrs to post at SW corner of said Jenkins tract;

THENCE N 59 /4 deg E 133.5 vrs to post in the West line of said South 3rd Street Road;

THENCE S 33 1/2 deg E along said road line, 374 1/2 vrs to the place of beginning, and containing 90.8 acres of land, this being the same land conveyed to Mrs. Emma Elster by J.B. Fisher by deed dated September 20, 1937, recorded in Vol. 465, page 35, of the McLennan County Deed Records.

SAVE AND EXCEPT (1) 0.188 acres, more or less, conveyed by Mrs. Emma Elster to the County of McLennan in a deed dated November 17, 1948, recorded in Vol. 621, page 479, Deed Records of McLennan County, Texas; (2) 0.3 acres, more or less, conveyed by Lyndia Meier to R.M. Holden and wife, in a deed dated November 2, 1965, recorded in Vol. 975, page 363, Deed Records of McLennan County, Texas; (3) 4.94 acres, more or less, conveyed by Neelley Sand & Gravel, Inc. to H & B Contractors, in a deed dated June 10, 1974, recorded in Vol. 1176, page 363, Deed Records of McLennan County, Texas; (4) 0.19 acres, more or less, conveyed by Neelley Sand & Gravel, Inc. to the State of Texas, in a deed dated November 22, 1978, recorded in Vol. 1302, page 866, Deed Records of McLennan County, Texas; (5) 1.31 acres, more or less, conveyed by Neelley Sand & Gravel, to the State of Texas, in a deed dated April 11, 1979, recorded in Vol. 1315, page 445, Deed Records of McLennan County, Texas; leaving a balance of 83.802 acres, more or less.

EXHIBIT "A"

Tract One: Being all that certain tract or parcel of land situated, lying and being in the County of McLennan, State of Texas, and being 24.47 acres of land out of the M. Martinez Grant in McLennan County, Texas, and being the tract of land conveyed to Lonnie R. Markum by a Deed Recorded in Volume 705, page 608 of the Deed Records of McLennan County, Texas. Beginning at an iron stake in the Northwest corner of the said Markum tract, at a point S 62-1/2 deg. W 2938 vrs. and S 28 deg. E 209 vrs. from the Northeast corner of the M. Martinez Grant; Thence N 61-1/2 deg. E 399 vrs. with the North line of the said Markum tract, a fence line, to an iron stake for corner at its Northeast corner; Thence S 30 deg. E 341 vrs. with the East line of the said Markum tract, another fence line, to an iron stake for corner; Thence S 61 deg. W 409.5 vrs. with the South line of the said Markum tract to an iron stake for corner of its Southwest corner; Thence N 28-1/2 deg. W. 342.5 vrs. with the West line of the said Markum tract to the place of beginning.

Tract Two: Being 50.166 acres out of the M. Martinez Grant, and being a part of the tract of land conveyed to William T. Phillips by Deed recorded in Volume 705, page 612, Deed Records of McLennan County, Texas; Beginning at an iron stake in the Northwest corner of the said Phillips tract, said point also being the Northwest corner of the Kendall 386 acre tract and at a point S 62-1/2 Deg. W 2938 vrs., S 28 deg. E 309 vrs., S 28-1/2 deg. E. 342.5 vrs., and S 61 deg. W 97.5 vrs. from the Northeast corner of the said Martinez Grant for the Northwest corner of this; Thence with the North line of the said Phillips tract, N 61 deg. E 507 vrs., and N 62-1/2 deg. E 287.5 vrs. to an iron stake for corner at its Northeast corner in the West line of the South 3rd Street Road; Thence with the West line of the said Road, S 10 deg. 41' W 7.5 vrs. to an iron stake for corner; Thence S 9-3/4 deg. E 60 vrs. to an iron stake for corner; Thence N 65 deg. 59' E 207.8 vrs. to an iron stake for corner in the West line of the said road; Thence continuing with the West line of the said road, S 9-3/4 deg. W 92.3 vrs. to the P.C. of a 5 deg. 16' curve to the right; Thence with the said curve to the right in a Southerly direction 125.2 vrs. to the P.T. of the said curve; Thence continuing with the said road line, S 14 deg. 57' W 114.4 vrs. to the P.C. of a 1 deg. 30' curve to the left; Thence with the said curve to the left in a Southerly direction 125.5 vrs. to the P.T. of the said curve; Thence continuing with the said road line, S 9 deg 46' W 140.5 vrs.. to an iron stake for corner at the Southeast corner of the said Phillips tract; Thence S 61 deg. 30' W 320 vrs. to the Southeast corner of the said Phillips tract; Thence N 31 deg. 34' W 531 vrs. to the place of beginning. And being the same property conveyed by William T. Phillips and wife, Martha Phillips to Frank Smith and Sons by Deed dated October 7, 1955, of record in Volume 775, page 118, Deed Records of McLennan County, Texas.

43
Gf #93980032-16

EXHIBIT "A"

BEING 11.32 acres of land out of the Carlos O'Campo Grant in McLennan County, Texas, Being a part of that certain 16.857 acre tract conveyed by Neelley Sand & Gravel Inc. to Justin Rosenfeld as Tract One in deed recorded in Vol. 1492, page 313 of the McLennan County, Texas Deed Records.

BEGINNING at an iron stake in the South line of a Gravel Road at the Northwest corner of said 16.857 acre tract, same being the Northeast corner of that certain 0.766 acre tract conveyed to Neelley Sand & Gravel Inc. by deed recorded in Vol. 1468, page 449 of said deed records.

THENCE N 60 deg 56' E 531 ft. along the South line of said Road and the North line of said 16.857 acre tract to a steel fence post for the Northeast corner of this;

THENCE S 28 deg 49' E at 791.3 ft. pass a large nail in fence line in all 933.92 ft. to point in the North line of Neelley Sand & Gravel Inc. 5.73 acre tract, Vol. 1468, page 449;

THENCE S 62 deg W 531.05 ft. along the South line of said 16.857 acre tract in the North line of said 5.73 acre tract to a fence post at the Southeast corner of said 0.766 acre tract;

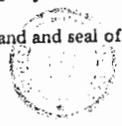
THENCE N 28 deg 49' W 924.03 ft. along the West line of said 16.857 acre tract and the East line of said 0.766 acre tract to the place of beginning.

THE STATE OF TEXAS }
COUNTY OF McLENNAN }

I, Frank Denny, Clerk of the County Court and Ex-Officio Recorder of McLennan County, Texas, do hereby certify that the foregoing attached

instrument of writing and certificate of authentication thereto, was filed in my office for record on the
4 day of February 19 93, at 3:40 o'clock P M., and
recorded in Volume 1771 on page 23 McLennan County Need Record on
the 5 day of February 19 93, at 8:05 o'clock P M.

Given under my hand and seal of said Court at office in Waco, Texas, the date last above written.



FRANK DENNY
Clerk, County Court and Ex-Officio Recorder, McLennan County, Texas
By B. Martinez Deputy
B. Martinez

3107
SPECIAL
WARRANTY DEED
READ
RELAND STONE
PRODUCTS CO
1508

TO
TRANSIT MIX
CONCRETE
Materials Company

Filed for Record
AT 3:40 O'CLOCK P M
FEB 4 1993

FRANK DENNY, CLERK
County Court, McLennan County, Texas
BY B. Martinez DEPUTY

return to
HOME ABSTRACT
TERRY PURYEAR
VALLEY MILLS OFFICE

Filed for Record on the 10 day of FEBRUARY A.D. 1993 at 2:00 o'clock P M.
Duly Recorded this the 10 day of FEBRUARY A.D. 1993 at 2:52 o'clock P M.

FRANK DENNY, County Clerk
McLennan County, Texas
By B. Martinez Deputy

APPLICATION FOR AMENDED
CERTIFICATE OF AUTHORITY

JUN 14 1994
Corporations Section

1. The name of the corporation as it currently appears on the records of the Secretary of State of Texas is Transit Mix Concrete Company.
2. (If the corporation's name was previously unavailable and the corporation elected to use an assumed name in Texas, complete the following.) The assumed name of the corporation as it currently appears on the records of the Secretary of State is T-Mix Concrete Company.
3. A Certificate of Authority was issued to the corporation on October 30, 1991.
4. The corporation name has been changed to Transit Mix Concrete & Materials Company.
(Note: If the corporate name has not been changed, insert "no change.")
5. The name which it elects to use hereafter in the State of Texas is _____.
6. It desires to pursue in Texas purposes other than, or in addition to, those authorized by its Certificate of Authority, as follows:
7. It is authorized to pursue such purpose or purposes in the state or country under the laws of which it is organized.
8. It desires to change the statement(s) contained in item(s) number _____ of the original or amended certificate of authority to read as follows:

Transit Mix Concrete & Materials Company
Name of Corporation

BY *F. Dean Phelps*
Its F. Dean Phelps, Vice President
(Authorized Officer)

State of Delaware.

Office of the Secretary of State

I, WILLIAM T. QUILLEN, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "TRANSIT MIX CONCRETE COMPANY", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "TRANSIT MIX CONCRETE & MATERIALS COMPANY", THE TWENTY-THIRD DAY OF MARCH, A.D. 1992, AT 9 O'CLOCK A.M.



William T. Quillen

William T. Quillen, Secretary of State

2274660 8320

AUTHENTICATION: 7122251

944087754

DATE: 05-17-94

Form 406
(Revised 05/11)
 Submit in duplicate to:
 Secretary of State
 P.O. Box 13697
 Austin, TX 78711-3697
 512 463-5555
 FAX: 512/463-5709
Filing Fee: See instructions



Amendment to Registration

This space reserved for office use.

FILED
 In the Office of the
 Secretary of State of Texas
APR 23 2013
Corporations Section

Entity Information

1. The legal name of the filing entity is:

Transit Mix Concrete & Materials Company

State the name of the entity as currently shown in the records of the secretary of state.

2. If the entity attained its registration under an assumed name, the qualifying assumed name as shown on the records of the secretary of state is:

3. The registration was issued to the entity on:

10/30/1991

mm/dd/yyyy

The file number issued to the filing entity by the secretary of state is:

8917206

Amendments to Application

4. The registration is amended to change the legal name of the entity as amended in the entity's jurisdiction of formation. The new name is:

Trinity Construction Materials, Inc.

5. The new name of the entity is not available for use in Texas or fails to include an appropriate organizational designation. Or, the entity wishes to amend the qualifying assumed name stated on its application for registration or amended registration. The assumed name the entity elects to adopt for purposes of maintaining its registration is:

6. The registration is amended to change the business or activity stated in its application for registration or amended registration. The business or activity that the entity proposes to pursue in this state is:

The entity certifies that it is authorized to pursue the same business or activity under the laws of the entity's jurisdiction of formation.

Other Changes to the Application for Registration

7. The foreign filing entity desires to amend its application for registration to make changes other than or in addition to those stated above. Statements contained in the original application or any amended application are identified by number or description and changed to read as follows:

[Empty rectangular box for listing changes to the application]

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

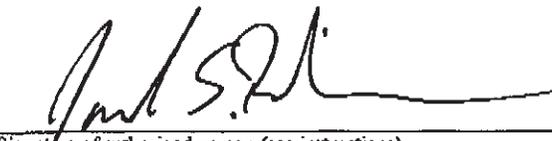
The following event or fact will cause the document to take effect in the manner described below:

[Empty rectangular box for describing the event or fact]

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: 04/23/2013



Signature of authorized person (see instructions)

Jared S. Richardson, Secretary

Printed or typed name of authorized person.



4-1 Apr. 23. 2013; 1:56PMny
Apr. 18. 2013 1:25PM

To: 12145898824 : 71346 No. 4450 P. 4 # 1 / 1
No. 4441 P. 1

TRINITY INDUSTRIES, INC.



April 18, 2013

Via Fax 713-468-1031

Trinity Construction Company, Inc.
Attn: Danny Stewart
9337B Katy Freeway, Suite 232
Houston TX 77024

#10531600

Re: Trinity Construction Company, Inc.

Dear Mr. Stewart,

I am writing to request consent to use the name "Trinity Construction Materials, Inc." in Texas. This name is somewhat similar to the name of your company, Trinity Construction Company, Inc.

If you consent to our using the name "Trinity Construction Materials, Inc." please sign below and return a copy of this letter to me by fax to 214-589-8824 as soon as possible.

Thank you for your attention to this matter. I appreciate your assistance and prompt response.

Sincerely,

April May

April May
Paralegal

The undersigned, on behalf of Trinity Construction Company, Inc., hereby grants consent to use the name "Trinity Construction Materials, Inc." in Texas.

By: *[Signature]*
Name: *[Signature]*
Title: *Pres.*

Form 406
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
Filing Fee: See instructions



This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas

DEC 13 2018

Corporations Section

Amendment to Registration

Entity Information

1. The legal name of the filing entity is:

TRINITY CONSTRUCTION MATERIALS, INC.

State the name of the entity as currently shown in the records of the secretary of state.

2. If the entity attained its registration under an assumed name, the qualifying assumed name as shown on the records of the secretary of state is:

3. The registration was issued to the entity on:

10/30/1991

mm/dd/yyyy

The file number issued to the filing entity by the secretary of state is:

8917206

Amendments to Application

4. The registration is amended to change the legal name of the entity as amended in the entity's jurisdiction of formation. The new name is:

ARCOSA MATERIALS, INC.

5. The new name of the entity is not available for use in Texas or fails to include an appropriate organizational designation. Or, the entity wishes to amend the qualifying assumed name stated on its application for registration or amended registration. The assumed name the entity elects to adopt for purposes of maintaining its registration is:

6. The registration is amended to change the business or activity stated in its application for registration or amended registration. The business or activity that the entity proposes to pursue in this state is:

Manufacturing

The entity certifies that it is authorized to pursue the same business or activity under the laws of the entity's jurisdiction of formation.

RECEIVED

DEC 13 2018

Secretary of State

Other Changes to the Application for Registration

7. The foreign filing entity desires to amend its application for registration to make changes other than or in addition to those stated above. Statements contained in the original application or any amended application are identified by number or description and changed to read as follows:

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: 11-26-2018


Signature of authorized person (see instructions)

Lisa Dubois

Printed or typed name of authorized person.

ATTACHMENT 3
PERMIT BOUNDARY (SEE PAGE 4)

July 26, 1977

Honorable M. A. Smith
Mayor of Waco
P. O. Box 1370
Waco, Texas 76703

Subject: Solid Waste - McLennan County
City of Waco - Solid Waste Permit No. 1039
3,000 Ft. SW of Int. of FM 434 (S. 3rd St.) and Tinsley Rd.
and 1/3 Mi. S of Tinsley Rd.
Coordinates: N 31°30.00' W 97°05.00'

Dear Mayor Smith:

A permit for your solid waste disposal site at the above location is enclosed. We appreciate your cooperation in our evaluation and approval procedures.

Acceptance of this permit constitutes an acknowledgement that the permittee will comply with all of the terms, provisions, conditions, limitations, and other restrictions embodied in this permit; with the "Municipal Solid Waste Management Regulations" of the Texas Department of Health Resources; and with the pertinent laws of the State of Texas.

We are enclosing a copy of this Department's latest "Municipal Solid Waste Management Regulations" which became effective April 20, 1977. Particular attention is invited to Section F which prescribes procedures which must be followed with respect to ground and surface water protection; the disposal of mixed and special wastes; and disposal of hazardous wastes.

*R. W. Don
for JCC
[Signature]*

Honorable M. A. Smith
July 26, 1977
Page 2

Your solid waste disposal facility is subject to inspection by State and local authorities and public health officials at any reasonable time. If this Department can provide any further information or should you have any questions regarding the requirements of this Department's "Municipal Solid Waste Management Regulations", please feel free to contact us at any time.

Sincerely,

G. R. Herzik, Jr., P. E.
Deputy Director for Environmental
and Consumer Health Protection

JCC:lst
Enclosure

cc: Region 6, TDHR
Waco-McLennan County Health Department
Senator Grant Jones
Representative Betty Denton
Representative Lyndon Olson, Jr.

RIVE
Don
for JCC

Texas Department of Health Resources

AUSTIN

TEXAS

INTER - OFFICE

FROM Edwin B. Fuller Jack C. Carmichael, P.E.
Hearings Examiner Division of Solid Waste Management

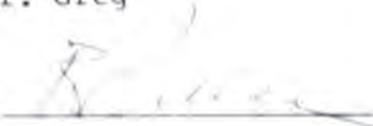
SUBJECT Solid Waste - McLennan County
City of Waco
Permit Application No. 1039

The attached permit with special provisions has been signed and sealed by the Director and received a final review by the Hearings Examiner.

This permit is now ready to be transmitted to the applicant.

Notice of this action has been sent this date to Mr. Greg Humbocch, 6224 May Dr., Waco, Texas 76710.

EBF/ah

SIGNED 

DATE July 22, 1977

FORM NO. AG-2

Permit No. 1039

Coordinates: N 31°30.00' W 97°05.00'

PERMIT FOR A MUNICIPAL SOLID WASTE FACILITY
issued under provisions of Article 4477-7, Vernon's
Texas Civil Statutes, and the Texas Department of Health
Resources' "Municipal Solid Waste Management Regulations"

Permittee

Name: City of Waco
Address: P. O. Box 1370
Waco, Texas 76703

Site Owner

Name: Weeley Sand and Gravel, Inc.
Address: Box 703
Waco, Texas 76703

Legal Description of Site: The legal description as submitted in the application is hereby made a part of this permit.

Size and Location of Site: The 64.71-acre site is located 3,000 feet southwest of the intersection of FM 434 (South 3rd Street) and Tinsley Road and 1/3 mile south of Tinsley Road in the extraterritorial jurisdiction of the City of Waco in McLennan County.

Operational Classification of Site: Type I

Waste Disposal Methods Used at Site: Area method of disposal with daily compaction of solid waste and cover with a minimum of six (6) inches of compacted earth, except as otherwise required by the attached Special Provisions.

Description of Waste Materials Processed at Site: Solid wastes under the regulatory jurisdiction of the Texas Department of Health Resources, when disposed of or processed in accordance with the Department's "Municipal Solid Waste Management Regulations".

Standard Provision: Acceptance of this permit constitutes an acknowledgement that the permittee will comply with all of the terms, provisions, conditions, limitations and other restrictions embodied in this permit; with the "Municipal Solid Waste Management Regulations" of the Texas Department of Health Resources; and with the pertinent laws of the State of Texas.

Special Provisions: See Attachment - "Special Provisions for Municipal Solid Waste Permit No. 1039".

This permit will be valid until cancelled or revoked by the Director of the Texas Department of Health Resources or until the site is completely filled and rendered unusable, whichever occurs first.

Given under my Hand and Seal of Office at Austin, Texas on the 22nd day of July, 1977.

/s/ Fratis L. Duff, M.D.
Fratis L. Duff, M. D.
Director

RVR
Don

(REAL)

SPECIAL PROVISIONS FOR MUNICIPAL SOLID WASTE PERMIT NO. 1039

- A. Property Rights: It is the responsibility of the herein named permittee to possess or acquire a sufficient interest in or right to the use of the property herein described for the purposes for which this permit is issued. The granting of this permit does not convey any property rights or interest in either real or personal property, nor does it authorize any injury to private property or invasion of personal rights, nor any infringement of Federal, State or local laws or regulations outside the scope of the authority under which this permit is issued.
- B. Groundwater Protection: Prior to depositing any solid waste in any excavation, the permittee shall provide to the Department a certificate from a registered professional engineer that testing by a soils laboratory of soil layers, in their undisturbed, natural, or original condition, that will form the bottom and sides of such excavation has been performed and lining provided where necessary. Such report of testing shall include soil classification, depth of lining, and field densities to insure sufficient impermeability.
- C. Surface Water Protection: Rainfall runoff within the landfill that has become contaminated by solid waste shall not be discharged from the site.
- D. Odor and Air Pollution Control:
1. Any ponded water at the site must not become a source of obnoxious odors.
 2. All applicable Texas Air Control Board regulations concerning air pollution control shall be observed.
- E. Site Development and Operation:
1. The permittee shall monitor bird flight activity to determine if birds which may be attracted to the landfill site create an air navigation hazard in the primary approach and departure areas of the nearby airport. The permittee, for a period of two (2) years, shall submit to the Fort Worth Airports District Office, Federal Aviation Administration, P. O. Box 1639, Fort Worth, Texas 76101, with a copy to the Texas Department of Health Resources, a monthly letter report indicating the level of bird activity associated with the operation of this site. At any time that there is an increase in the amount of birds attracted to the landfill site, the permittee shall contact the airport manager to determine if the landfill bird activity is creating an air navigation safety hazard. Should such a hazard appear to exist in the opinion of the airport manager, the permittee shall submit a special letter report to the Airports District Office with a copy to the Department. Upon receipt of such report, the Airports District Office and the Department may conduct a joint inspection of the landfill site and airport area to determine if an air navigation hazard exists and whether or not the hazard is attributed to the landfill operation. If it is determined that the hazard is attributed to the landfill, the permittee shall immediately cease receiving solid waste and cover all exposed solid waste with two feet of soil. Operations shall not be resumed without the concurrence of the Department.

not done
OK

At any time subsequent to the initial two-year reporting period, the Department may reinstitute the requirement to submit periodic bird activity reports if a site inspection by the Department reveals that the landfill site is attracting a significant amount of birds which could create an air navigation safety hazard.

2. Brush and construction-demolition waste disposal shall be accomplished as outlined in subsection F-3 (Operational Standards for Type IV Operation) of the Department's "Municipal Solid Waste Management Regulations" dated April 1977 within an area specifically designated for that purpose and physically separated from other disposal operations by fencing, with access through a separate or controlled entrance.
- F. Site Closing: When disposal operations are completed and/or before abandonment of the site, the disposal area shall be completely and properly closed in accordance with the regulations of the Texas Department of Health Resources pertaining thereto.
- G. Surety Bond: Not required.

Rob. Dan Feb

LEGAL DESCRIPTION OF TRACT
OF LAND FOR USE BY
CITY OF WACO
AS A SOLID WASTE DISPOSAL SITE

STATE OF TEXAS

COUNTY OF McLENNAN

64.71 acres of land out of the Carlos O'Campo Grant in McLennan County, Texas and being a part of those certain tracts of land described as being First, Second, Third and Fourth Tracts by deeds to Jim Radle and recorded in Volume 855, Page 426 and Volume 916, Page 72 of the McLennan County, Texas deed Records, respectfully.

Beginning at an iron stake in the west line of Farm-to-Market Road #434, sometimes known and referred to as the South 3rd Street Road, at its point of intersection with the south line of the Second Tract for the southeast corner of this; said point of beginning also being the southwest corner of that certain 0.056 acre tract of land conveyed to the McLennan County, Texas by deed recorded in Volume 621, Page 185 of the said deed records:

Thence S 62° W 2950.67 ft (1062.24 yrs.) with the south line of the said Second Tract, an old fence line, to an iron stake at its southwest corner;

Thence N 27°45' W 70 ft (25.2 yrs.), S 63°55' W 374.72 ft (314.9 yrs.) and S 62° 15' W 674.83 ft (242.94 yrs.) to an iron stake in the east line of the S.A. & A.P. Railroad right-of-way and in the west line of the said Fourth Tract for the southwest corner of this;

Thence N 14° 45' W 1473.33 ft (530.4 yrs) with the east line of the said S.A. & A.P. Railroad right-of-way and the west lines of the said Fourth and First Tracts to an iron stake for the northeast corner of this; said stake being the northwest corner of the said First Tract;

Thence N 61° 15' E 1140.8 ft (410.69 yrs.) with the north line of the said First Tract, an old fence line, to an iron stake at its northeast corner;

Thence S 30° 28' E 1248.07 Ft (449.31 yrs.) with the east line of the said First Tract and along a meandering fence line to an iron stake at its southeast corner and at the northwest corner of the said Second Tract;

Thence along a fence line, the north line of the said Second Tract, N 62° 26' E 1581.90 ft (569.48 yrs.) and N 62° 21' E 1392.77 ft (501.4 yrs.) to an iron stake in the west line of the said F. M. Road #434 and at the northwest corner of the said McLennan County, Texas Tract;

Thence S 26° 22' E 284.3 ft (102.35 yrs.) with the west line of the said F. M. Road #434 and the west line of the said McLennan County, Texas Tract to the point of beginning.

cc: City-County Health Department

R. H. [Signature]

Jack C. Carmichael, P. E.
Director
Division of Solid Waste Management

Mr. Hal L. Nelson, Assistant Chief
Legal and Claims Services

Solid Waste - McLennan County
City of Waco - Permit Application No. 1039
3,000 Ft. SW of Int. of FM 434 (S 3rd St.) and Tinsley Rd., and
1/3 Mi. S of Tinsley Rd.
Coordinates: N 31°30.00' W 97°05.00'

On February 22, 1977, the Texas Department of Health Resources received an application for a permit to operate a proposed Type I municipal solid waste landfill near Naco, McLennan County, Texas. The application was processed in accordance with this Department's "Municipal Solid Waste Management Regulations", and the "Solid Waste Disposal Act", Article 4677-7, Vernon's Texas Civil Statutes. Appropriate agencies, officials, and authorities were provided an opportunity to comment on the application. Following due notice by publication in a local newspaper of a public hearing notice, a public hearing was held at the City Council Room, City Hall, in Waco, McLennan County, on May 25, 1977. The hearing record was closed at the end of the hearing, there being no apparent reason for the record to remain open. The decision by the Director of the Texas Department of Health Resources will be due by July 25, 1977.

The application for permit and supporting materials received by the Texas Department of Health Resources from the applicant consisted of the following:

1. Municipal Solid Waste Permit Application
2. Map showing the location of the site
3. Legal description of the site
4. Engineering report prepared by City of Waco Engineering Department
5. Soil test report

The following persons from the Texas Department of Health Resources conducted the public hearing:

1. Mr. Edwin B. Fuller, Hearings Examiner
2. Mr. Robert H. Ray, P. E., Project Engineer

The following person from the Texas Department of Health Resources also participated in the public hearing:

Mr. Earl A. Ballman, P. E., Region 6

*File
10m*

Significant comments by review agencies are summarized as follows:

1. Texas Water Quality Board: If this site is approved by the Texas Department of Health Resources, the following recommendations may be considered to decrease the hazard to ground and surface water quality:
 - a. Solid waste should not be disposed of within three feet of the water table. Consideration should be given to the possibility of variations in the depth to water table at this site.
 - b. Any excavation at the site should be lined with suitable material to prevent the exfiltration of leachates. Such lining is essential where water-bearing sands and/or gravels are present.
 - c. Surface water diversion dikes should be constructed to divert runoff away from the site. Diversion dikes also serve to contain contaminated surface water within the site boundaries.
 - d. Working face berms should be constructed to minimize the amount of contaminated water.
 - e. Contaminated water should not be discharged from the site.
2. Texas Air Control Board: We have reviewed the above cited document and recommend approval. An investigation of the site indicates outdoor burning is prohibited under Texas Air Control Board Regulation I, Rule 101.23. We would remind the applicant that the site must be operated in compliance with all Board Rules and Regulations, specifically those pertaining to outdoor burning, particulate matter and nuisances.
3. Texas Water Development Board: The proposed operation will not affect the flood waters of any stream and an "Application for Approval of a Levee Project" will not be required.
4. State Department of Highways and Public Transportation: This agency was not contacted inasmuch as no primary highway is located within 1,000 feet of this site.
5. County Judge: No comments were received.
6. County Health Authority: No comments were received.
7. Mayor of Waco: No comments were requested inasmuch as the City is the applicant.
8. Municipal Health Authority: (Waco-McLennan County Health Department) No comments were received.

RHP
DM

9. Federal Aviation Administration: The proposed site is adjacent to the Flying Heart Ranch Airport owned by Mr. Joe A. Stahl, Route 6, Box 230, Waco, Texas 76706. As you may realize, there is a landfill immediately adjacent to the airport. This landfill has been in existence for several years, and we have received no complaints of birds in the area. For this reason, we do not object to the issuance of this permit; however, it is requested that the usual two year, monthly reporting procedure be included as a special condition of the permit.
10. Fort Worth District, U.S. Army Corps of Engineers: A Corps of Engineers permit under the "Federal Water Pollution Control Act" will not be required inasmuch as no fill materials will be discharged into navigable waters or contiguous or adjacent wetlands.

Texas Department of Health Resources Comments:

1. TDHR Region 6: The proposed solid waste site contains 64.71 acres with estimated usage of two years. The site is under the extraterritorial jurisdiction of the City of Waco and leased from Neeley Sand and Gravel, Inc. Gravel and sand was mined from the site by the owner. The land use within one mile of the site is primarily used for agricultural purposes. Some mining of sand and gravel continues in the vicinity. The City is currently using a site directly north of the proposed site. The residence nearest the south side of the site obtains its water for human consumption from a community water system. The City plans to monitor the individual water wells as shown on the engineering plans on a monthly basis in order to make sure that there is no contamination occurring.

The ground water table varies from 13 to 18 feet below the normal ground elevation according to the soil boring information. The sides and bottoms of all landfill trenches or disposal areas must be properly lined with a minimum of three (3) feet of selected impermeable clay type material to prevent the percolation of leachate into the groundwater when permeable soil areas are encountered. The selected impermeable clay type material referred to should have a permeability of not more than 1×10^{-7} cm/sec with a Liquid Limit of not less than 30, and a Plasticity Index of not less than 15. A minimum of three feet of bottom lining must be maintained above the groundwater elevation before placement of solid waste.

Suitable working face dikes and/or any other suitable water diversion methods should be provided to control and minimize contact between the water and solid waste.

R. L. Man

Rainfall runoff within landfill area must not be discharged from the site. The site is located 100 feet from the end of the secondary runway and 1,250 feet parallel to the primary runway of a private airstrip owned by the Flying Heart Ranch. The City officials stated that the owner presently uses the airstrip very seldom. The City's existing sanitary landfill occupies the land that is leased from the Flying Heart Ranch. The existing landfill site is located adjacent to both runways.

Mr. Jim Hamm, Director of Public Services, states that the City plans to amend the permit application not only for a Type I site, but also for a Type V (Brush-Demolition Waste Disposal Site) within the same facility.

Based on the inspection of the site location and information, available it is the writer's (Earl A. Ballman, P. E.) opinion that the disposal of municipal solid waste at the site, if operated in compliance with the Department's "Municipal Solid Waste Management Regulations", dated April 1977, will not present any public health problems to the surrounding area.

2. Division of Solid Waste Management:

- a. Geologist: Site is located in abandoned sand and gravel quarry in fluvial terrace deposits composed of gravel, sand, silt, and clay along the Brazos River. These deposits overlie the Ozan formation ("lower Taylor marl"). Sand and gravel have apparently been removed from excavations which were carried to a depth of about 24 feet or to the "blue clay" (Ozan), with the "fines" left so that the pit is backfilled to within about 12 feet at the surface. Depth to groundwater in the borings ranged between elevations 386 feet and 391 feet. The groundwater level at this site is likely subject to fluctuation as it probably is in hydrologic contact with the Brazos River flow. These terrace and alluvial deposits produce useable groundwater. Site should be satisfactory if operational procedure as described in Section H.5 of the application is maintained, namely: "This pit will be cleaned around the periphery down to the shale bottom and the sides will be sealed from 4 feet to 6 feet horizontal thickness of the heavy Bell clay up to above the groundwater level. Bottom and sides of the site will be sealed with 2 feet to 4 feet of the heavy Bell clay". Atterberg limits and permeability tests on the Bell clay overburden indicate that it should be suitable lining material when recompacted.

RK
Hamm

- b. Project Engineer: This is a proposed Type I solid waste landfill located within the extraterritorial jurisdiction of the City of Waco in McLennan County. The site contains an area of approximately 64.71 acres. The site is located to the south of an existing landfill. The surrounding land use is mainly agricultural with some sand and gravel mining. There are no water wells within 500 feet of the proposed site. The houses in the vicinity of the landfill are reported by the City of Waco to receive drinking water from a community water system. The engineering report states that a monthly chemical analysis will be made of the wells near this site to determine if contamination has taken place. The water table is from 13 feet to 18 feet below natural ground level in the area of this site. There were six (6) soil borings made but only one (1) bag sample was submitted to a commercial testing laboratory for analysis for permeability, liquid limits and plasticity index, all of which meet the requirements of the Department's Regulations. The logs of the borings indicate that a gravel stratum is encountered as shallow as 6 feet below the surface. It is recommended that this site be lined, in the bottom and sides, with a minimum of three (3) feet of compacted clay to prevent groundwater contamination. The operational plan submitted by the City of Waco, if followed, should prevent any contamination of ground or surface water in the area.

Additional Comments or Considerations:

The testimony presented at the public hearing indicates that this can be operated as a good Type I solid waste disposal site. Mr. James O. Hamm, P. E., Director of Public Services for the City of Waco, testified that there were no water wells within 500 feet of the proposed site. The City has had soil tests made on the soils at the site and these meet or exceed the requirements of the Department. This proposed site is adjacent to the existing landfill. The water that is presently in the site will be pumped out and the site will be lined with three (3) feet of compacted clay-type material before it is put into operation. The groundwater level in this area varies from 13 to 18 feet below the surface and the plan is to stay 3 feet above the water table. There will be an area set off for brush and construction-demolition materials. There are no pipe lines on the site and no hazardous materials are accepted. If disposal of this type of material is requested of the City, the Health Department will be contacted for special instructions before such materials are accepted for disposal.

A site inspection by the Project Engineer indicates that the testimony presented and the information contained in the engineering report submitted with the permit application are correct.

The comments by the Texas Water Quality Board concerning lining of the site, depositing material within 3 feet of the water table, diversion dikes and discharge of contaminated water from the site were answered in the engineering report submitted by the City and the testimony at the public hearing. All of the requirements suggested will be complied with.

*Rover
Kam*

It is recommended that permit No. 1039 with special provisions to operate a solid waste disposal site, as proposed in the attachment hereto, be issued to the City of Waco in view of the preceding comments and for the following specific reasons:

1. Recommendations from responsible officials and agencies regarding the technical aspects of the application are almost totally favorable to the issuance of a permit. Issuance of the permit with the proposed special provisions should not significantly endanger the health, welfare or physical property of the residents of the area.
2. The information submitted by the applicant and the testimony presented at the public hearing indicate that this can be operated as a good Type I solid waste disposal landfill.
3. The landfill, if operated according to the Texas Department of Health Resources' "Municipal Solid Waste Management Regulations", is not expected to become a public health hazard or public nuisance.
4. There was no opposition or objections to the operation of this solid waste disposal site offered before or during the public hearing.

RHR:lst
Attachments

Signed _____

Date _____

[Handwritten Signature]

7-14-77

*RHR
Waco*

ATTACHMENT B
CORE DATA FORM TCEQ-10400



TCEQ Use Only

TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input checked="" type="checkbox"/> Other	
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number (if issued)
CN 600131940		RN 106117625

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)		
<input type="checkbox"/> New Customer		<input type="checkbox"/> Update to Customer Information		<input checked="" type="checkbox"/> Change in Regulated Entity Ownership
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)				
<i>The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).</i>				
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John)			<i>If new Customer, enter previous Customer below:</i>	
City of Waco				
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)	
N/A	N/A	N/A	N/A	
11. Type of Customer:	<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited	
Government: <input checked="" type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other	<input type="checkbox"/> Sole Proprietorship		<input type="checkbox"/> Other:	
12. Number of Employees		13. Independently Owned and Operated?		
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input checked="" type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following				
<input type="checkbox"/> Owner		<input type="checkbox"/> Operator		<input checked="" type="checkbox"/> Owner & Operator
<input type="checkbox"/> Occupational Licensee		<input type="checkbox"/> Responsible Party		<input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:
15. Mailing Address:	P.O. Box 2570			
	City	Waco	State	TX
	ZIP	76702	ZIP + 4	
16. Country Mailing Information (if outside USA)			17. E-Mail Address (if applicable)	
N/A			kodyp@ci.waco.tx.us	
18. Telephone Number		19. Extension or Code		20. Fax Number (if applicable)
(254) 750-6627				(254) 750-5844

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)	
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input checked="" type="checkbox"/> Update to Regulated Entity Information	
<i>The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).</i>	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	

23. Street Address of the Regulated Entity: <i>(No PO Boxes)</i>							
	City	Waco	State	TX	ZIP	76712	ZIP + 4
24. County							

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:	1.5 miles south of the intersection of Loop Hwy 340/6 and FM 3400 (South University Parks Dr) on the east side of FM 3400 in the ETJ of the City of Waco.						
26. Nearest City	Waco			State	TX	Nearest ZIP Code	76712
27. Latitude (N) In Decimal:	Degrees		Minutes	Seconds	28. Longitude (W) In Decimal:	Degrees	
	31	29	52		97	04	51
29. Primary SIC Code (4 digits)	4953	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)	562212	32. Secondary NAICS Code (5 or 6 digits)	
33. What is the Primary Business of this entity? <i>(Do not repeat the SIC or NAICS description.)</i>							
Municipal Solid Waste Landfill							
34. Mailing Address:	501 Schroeder Drive						
	City	Waco	State	TX	ZIP	76710	ZIP + 4
35. E-Mail Address:	KodyP@wacotx.gov						
36. Telephone Number	(254) 750-6627		37. Extension or Code		38. Fax Number <i>(if applicable)</i>	(254) 750-5844	

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input checked="" type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
MSW-1039				
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

SECTION IV: Preparer Information

40. Name:	Jeff Arrington, P.E.	41. Title:	SCS Engineers Project Manager
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(817) 358-6111		(817) 571-2188	jarrington@scsengineers.com

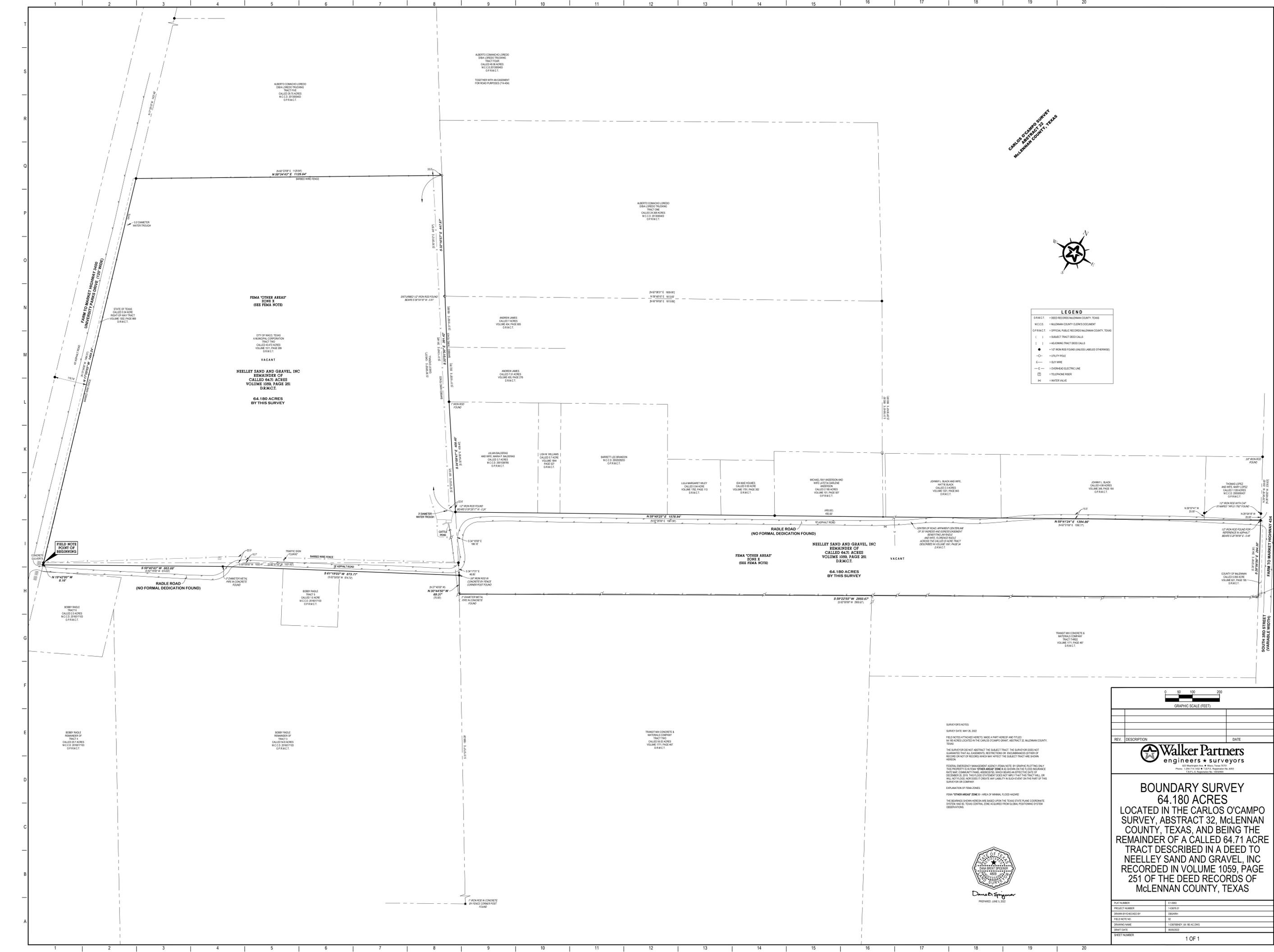
SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	City of Waco	Job Title:	City Manager
Name <i>(In Print)</i> :	Bradley Ford	Phone:	(254) 750- 6627
Signature:		Date:	11-14-22

SKS

ATTACHMENT C
CURRENT BOUNDARY SURVEY



CARLOS O'CAMPO SURVEY
 ABSTRACT 32
 McLENNAN COUNTY, TEXAS



LEGEND

- DEED RECORDS McLENNAN COUNTY, TEXAS
- McLENNAN COUNTY DEEDS DOCUMENT
- OFFICIAL PUBLIC RECORDS McLENNAN COUNTY, TEXAS
- () SUBJECT TRACT DEED CALLS
- () ADDITIONAL TRACT DEED CALLS
- 12" IRON ROD FOUND UNLESS OTHERWISE NOTED
- UTILITY POLE
- 100' WIRE
- OVERHEAD ELECTRIC LINE
- TELEPHONE WIRE
- WATER VALVE

FEMA "OTHER AREAS" ZONE X
 (SEE FEMA NOTE)

CITY OF WACO, TEXAS
 ALMUNDAL CORPORATION
 TRACT TWO
 CALLED 45.7 ACRES
 VOLUME 1051, PAGE 399
 D.R.M.C.T.

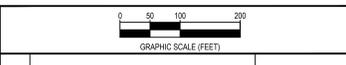
VACANT

NEELLEY SAND AND GRAVEL, INC
 REMAINDER OF
 CALLED 64.71 ACRES
 VOLUME 1059, PAGE 251
 D.R.M.C.T.

64.180 ACRES
 BY THIS SURVEY

NEELLEY SAND AND GRAVEL, INC
 REMAINDER OF
 CALLED 64.71 ACRES
 VOLUME 1059, PAGE 251
 D.R.M.C.T.

64.180 ACRES
 BY THIS SURVEY



REV	DESCRIPTION	DATE

Walker Partners
 engineers & surveyors

BOUNDARY SURVEY
64.180 ACRES
 LOCATED IN THE CARLOS O'CAMPO
 SURVEY, ABSTRACT 32, McLENNAN
 COUNTY, TEXAS, AND BEING THE
 REMAINDER OF A CALLED 64.71 ACRE
 TRACT DESCRIBED IN A DEED TO
 NEELLEY SAND AND GRAVEL, INC
 RECORDED IN VOLUME 1059, PAGE
 251 OF THE DEED RECORDS OF
 McLENNAN COUNTY, TEXAS

PLAT NUMBER	15-090
PROJECT NUMBER	1-080931
DRAWN BY CHECKED BY	DBR/HRH
FIELD NOTES NO.	08
DRAWING NAME	1-08090801-64.180 AC.DWG
DRAWN DATE	08/09/2022
SHEET NUMBER	1 OF 1



SURVEYOR'S NOTES

SURVEY DATE: MAY 26, 2022

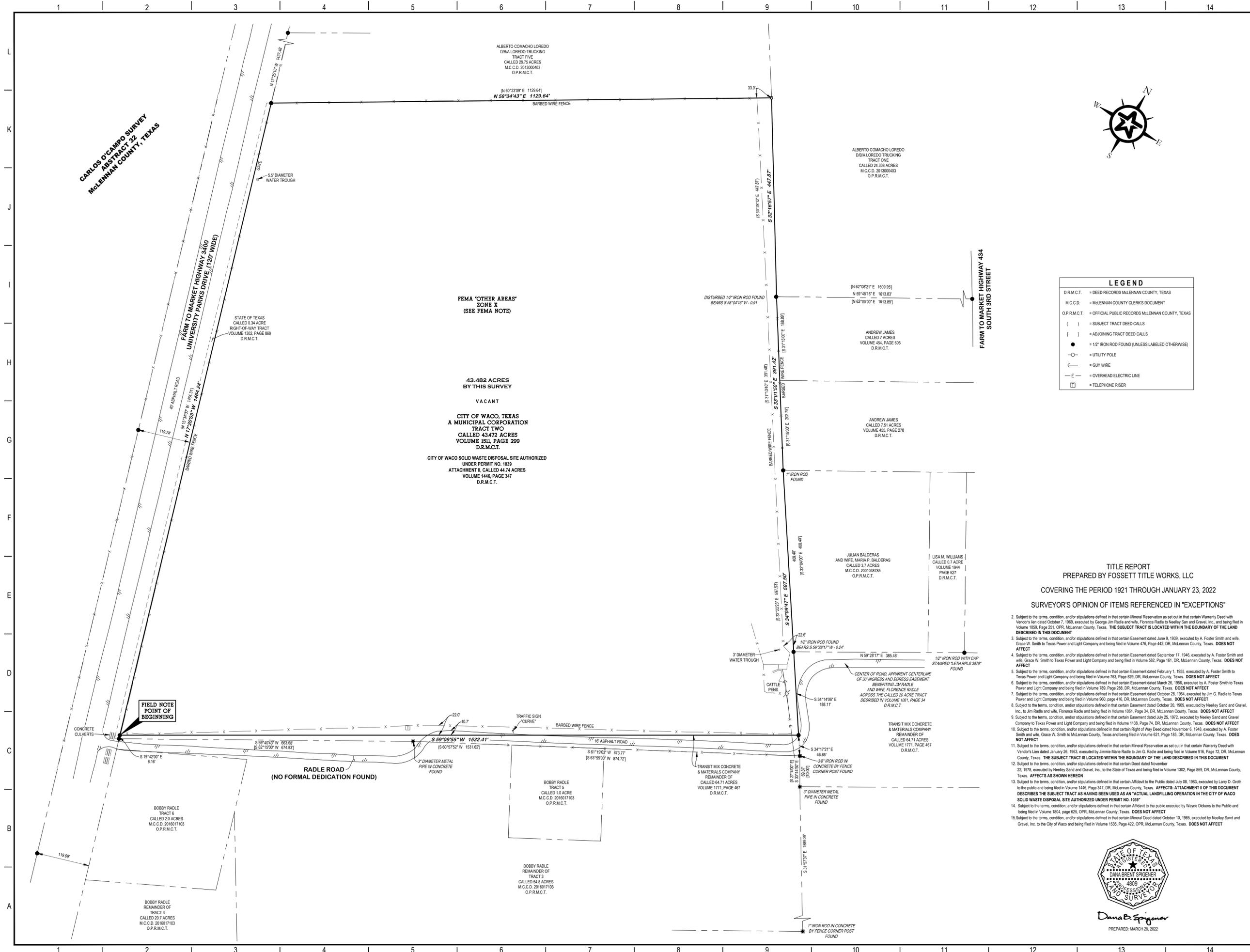
FIELD NOTES ATTACHED HERETO, MAKE A PART HEREOF AND TITLED:
 64.180 ACRES LOCATED IN THE CARLOS O'CAMPO SURVEY, ABSTRACT 32, McLENNAN COUNTY,
 TEXAS

THE SURVEYOR DOES NOT ABSTRACT THE SUBJECT TRACT. THE SURVEYOR DOES NOT
 WARRANT THAT ALL EASEMENTS, RESTRICTIONS OR ENCUMBRANCES EITHER OF
 RECORD OR NOT OF RECORD WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN
 HEREON.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) NOTE: BY GRAPHIC PLATTING ONLY
 THIS PROPERTY IS IN FEMA "OTHER AREAS" ZONE X AS SHOWN ON THE FLOOD INSURANCE
 RATE MAP (COMMUNITY PANEL: 48020C02), WHICH BEARS AN EFFECTIVE DATE OF
 DECEMBER 20, 2019. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THIS TRACT WILL OR
 WILL NOT BE DAMAGED IF THERE IS ANY LIABILITY TO SURVEYOR ON THE PART OF THE
 SURVEYOR OR CLIENT.

EXPLANATION OF FEMA ZONES:
 FEMA "OTHER AREAS" ZONE X: AREA OF MINIMAL FLOOD HAZARD
 THE BEARINGS SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE
 SYSTEM AND ALL TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM
 OBSERVATIONS.

ATTACHMENT D
NEW METES AND BOUNDS SURVEY AND LEGAL DESCRIPTION



**CARLOS O'CAMPO SURVEY
ABSTRACT 32
MCLENNAN COUNTY, TEXAS**

LEGEND	
D.R.M.C.T.	= DEED RECORDS MCLENNAN COUNTY, TEXAS
M.C.C.D.	= MCLENNAN COUNTY CLERK'S DOCUMENT
O.P.R.M.C.T.	= OFFICIAL PUBLIC RECORDS MCLENNAN COUNTY, TEXAS
()	= SUBJECT TRACT DEED CALLS
[]	= ADJOINING TRACT DEED CALLS
●	= 1/2" IRON ROD FOUND (UNLESS LABELED OTHERWISE)
○	= UTILITY POLE
—	= GUY WIRE
—	= OVERHEAD ELECTRIC LINE
□	= TELEPHONE RISER

**FEMA "OTHER AREAS"
ZONE X
(SEE FEMA NOTE)**

**43.482 ACRES
BY THIS SURVEY**

VACANT

**CITY OF WACO, TEXAS
A MUNICIPAL CORPORATION
TRACT TWO
CALLED 43472 ACRES
VOLUME 1511, PAGE 299
D.R.M.C.T.**

**CITY OF WACO SOLID WASTE DISPOSAL SITE AUTHORIZED
UNDER PERMIT NO. 1039
ATTACHMENT II CALLED 4474 ACRES
VOLUME 1446, PAGE 347
D.R.M.C.T.**

**TITLE REPORT
PREPARED BY FOSSETT TITLE WORKS, LLC
COVERING THE PERIOD 1921 THROUGH JANUARY 23, 2022
SURVEYOR'S OPINION OF ITEMS REFERENCED IN "EXCEPTIONS"**

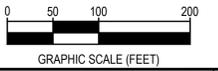
- Subject to the terms, condition, and/or stipulations defined in that certain Mineral Reservation as set out in that certain Warranty Deed with Vendor's Lien dated October 7, 1969, executed by George Jim Radle and wife, Florence Radle to Neesley Sand and Gravel, Inc., and being filed in Volume 1059, Page 251, O.P.R., McLennan County, Texas. **THE SUBJECT TRACT IS LOCATED WITHIN THE BOUNDARY OF THE LAND DESCRIBED IN THIS DOCUMENT.**
- Subject to the terms, condition, and/or stipulations defined in that certain Easement dated June 9, 1939, executed by A. Foster Smith and wife, Grace W. Smith to Texas Power and Light Company and being filed in Volume 476, Page 442, DR, McLennan County, Texas. **DOES NOT AFFECT**
- Subject to the terms, condition, and/or stipulations defined in that certain Easement dated September 17, 1946, executed by A. Foster Smith and wife, Grace W. Smith to Texas Power and Light Company and being filed in Volume 582, Page 161, DR, McLennan County, Texas. **DOES NOT AFFECT**
- Subject to the terms, condition, and/or stipulations defined in that certain Easement dated February 1, 1955, executed by A. Foster Smith to Texas Power and Light Company and being filed in Volume 763, Page 529, DR, McLennan County, Texas. **DOES NOT AFFECT**
- Subject to the terms, condition, and/or stipulations defined in that certain Easement dated March 26, 1956, executed by A. Foster Smith to Texas Power and Light Company and being filed in Volume 780, Page 288, DR, McLennan County, Texas. **DOES NOT AFFECT**
- Subject to the terms, condition, and/or stipulations defined in that certain Easement dated October 28, 1954, executed by Jim G. Radle to Texas Power and Light Company and being filed in Volume 960, page 416, DR, McLennan County, Texas. **DOES NOT AFFECT**
- Subject to the terms, condition, and/or stipulations defined in that certain Easement dated October 20, 1962, executed by Neesley Sand and Gravel, Inc., to Jim Radle and wife, Florence Radle and being filed in Volume 1081, Page 34, DR, McLennan County, Texas. **DOES NOT AFFECT**
- Subject to the terms, condition, and/or stipulations defined in that certain Easement dated July 25, 1972, executed by Neesley Sand and Gravel Company to Texas Power and Light Company and being filed in Volume 1138, Page 74, DR, McLennan County, Texas. **DOES NOT AFFECT**
- Subject to the terms, condition, and/or stipulations defined in that certain Right of Way Deed dated November 6, 1948, executed by A. Foster Smith and wife, Grace W. Smith to McLennan County, Texas and being filed in Volume 621, Page 185, DR, McLennan County, Texas. **DOES NOT AFFECT**
- Subject to the terms, condition, and/or stipulations defined in that certain Mineral Reservation as set out in that certain Warranty Deed with Vendor's Lien dated January 26, 1963, executed by Jimmie Marie Radle to Jim G. Radle and being filed in Volume 916, Page 72, DR, McLennan County, Texas. **THE SUBJECT TRACT IS LOCATED WITHIN THE BOUNDARY OF THE LAND DESCRIBED IN THIS DOCUMENT.**
- Subject to the terms, condition, and/or stipulations defined in that certain Easement dated November 22, 1978, executed by Neesley Sand and Gravel, Inc., to the State of Texas and being filed in Volume 1302, Page 869, DR, McLennan County, Texas. **AFFECTS AS SHOWN HEREON**
- Subject to the terms, condition, and/or stipulations defined in that certain Affidavit to the Public dated July 08, 1983, executed by Larry D. Groth to the public and being filed in Volume 1446, Page 347, DR, McLennan County, Texas. **AFFECTS ATTACHMENT II OF THIS DOCUMENT DESCRIBES THE SUBJECT TRACT AS HAVING BEEN USED AS AN "ACTUAL LANDFILL OPERATION IN THE CITY OF WACO SOLID WASTE DISPOSAL SITE AUTHORIZED UNDER PERMIT NO. 1039"**
- Subject to the terms, condition, and/or stipulations defined in that certain Affidavit to the public executed by Wayne Dickens to the Public and being filed in Volume 1504, page 625, O.P.R., McLennan County, Texas. **DOES NOT AFFECT**
- Subject to the terms, condition, and/or stipulations defined in that certain Mineral Deed dated October 10, 1985, executed by Neesley Sand and Gravel, Inc. to the City of Waco and being filed in Volume 1535, Page 422, O.P.R., McLennan County, Texas. **DOES NOT AFFECT**

SURVEYOR'S NOTES:
SURVEY DATE: MARCH 12, 2022
FIELD NOTES ATTACHED HERETO, MADE A PART HEREOF AND TITLED:
43.482 ACRES LOCATED IN THE CARLOS O'CAMPO GRANT, ABSTRACT 32, MCLENNAN COUNTY, TEXAS

THE SURVEYOR DID NOT ABSTRACT THE SUBJECT TRACT. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE REPORT PROVIDED BY FOSSETT TITLE WORKS, LLC, COVERING THE PERIOD 1921 THROUGH JANUARY 23, 2022. THE SURVEYOR CERTIFIES THAT ITEMS 2 THROUGH 15 LISTED ON THE SHEET TITLED "EXCEPTIONS" OF THE TITLE REPORT AND ANY ADDITIONAL EASEMENTS THAT HE HAS BEEN ADVISED OF HAVE BEEN ADDRESSED HEREOF. HOWEVER, THE SURVEYOR DOES NOT GUARANTEE THAT THE TITLE REPORT LISTS ALL EASEMENTS, RESTRICTIONS OR ENCUMBRANCES (EITHER OF RECORD OR NOT OF RECORD) WHICH MAY AFFECT THE SUBJECT TRACT.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) NOTE: BY GRAPHIC PLOTTING ONLY THIS PROPERTY IS IN FEMA "OTHER AREAS" ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL 450302570, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 20, 2019. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THIS TRACT WILL, OR WILL NOT FLOOD, NOR DOES IT CREATE ANY LIABILITY IN SUCH EVENT ON THE PART OF THIS SURVEYOR OR COMPANY.

EXPLANATION OF FEMA ZONES:
FEMA "OTHER AREAS" ZONE X = AREA OF MINIMAL FLOOD HAZARD
THE BEARINGS SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.



REV.	DESCRIPTION	DATE
1	CORRECTED ADJOINER REFERENCE	3-30-2022
2	ADJUSTED TO SURFACE COORDINATES	4-8-2022

Walker Partners
engineers • surveyors
823 Washington Ave. • Waco, Texas 76711
Phone: 1-254-714-1402 • T.B.P.E. Registration No. 8053
T.B.P.L.S. Registration No. 10023502

**LAND TITLE SURVEY
43.482 ACRES
LOCATED IN THE CARLOS O'CAMPO
SURVEY, ABSTRACT 32, MCLENNAN
COUNTY, TEXAS, AND BEING ALL OF A
CALLED 43.472 ACRE TRACT DESCRIBED
AS TRACT TWO IN A DEED TO THE CITY
OF WACO, TEXAS, A MUNICIPAL
CORPORATION RECORDED IN VOLUME
1511, PAGE 299 OF THE DEED RECORDS
OF MCLENNAN COUNTY, TEXAS**

PLAT NUMBER	D1-0566
PROJECT NUMBER	1-03676.00
DRAWN BY/CHECKED BY	DBSKRH
FIELD NOTE NO.	01
DRAWING NAME	1-03676/WORK.DBS.DWG
DRAFT DATE	03/28/2022
SHEET NUMBER	1 OF 1



Dana B. Spigener
PREPARED MARCH 28, 2022

G:\PROJECTS\1-03676\1 SURVEY\1.0 CAD\1-03676\WORK.DBS.DWG 2/23/24 9:21:09 AM, C:\spigener\1.1



823 Washington Ave., Suite 100
Waco, Texas 76701

43.482 ACRES

LOCATED IN THE CARLOS O'CAMPO SURVEY, ABSTRACT 32, McLENNAN COUNTY, TEXAS

FIELD NOTES FOR A 43.482 ACRE TRACT OF LAND LOCATED IN THE CARLOS O'CAMPO SURVEY, ABSTRACT 32, McLENNAN COUNTY, TEXAS, AND BEING ALL OF A CALLED 43.472 ACRE TRACT DESCRIBED AS TRACT TWO IN A DEED TO THE CITY OF WACO, A MUNICIPAL CORPORATION RECORDED IN VOLUME 1511, PAGE 299 OF THE DEED RECORDS OF McLENNAN COUNTY, TEXAS (D.R.M.C.T.). SAID 43.482 ACRE TRACT BEING MORE PARTICULARLY SHOWN ON THE ATTACHED LAND TITLE SURVEY DRAWING AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE OF FARM TO MARKET HIGHWAY 3400, ALSO KNOWN AS UNIVERSITY PARKS DRIVE (120' WIDE), SAME BEING THE EAST LINE OF A CALLED 0.34 ACRE RIGHT-OF-WAY TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 1302, PAGE 869 OF THE D.R.M.C.T., IN THE NORTH MARGIN OF RADLE ROAD (NO FORMAL DEDICATION FOUND) AT THE NORTHWEST CORNER OF THE REMAINDER OF A CALLED 64.71 ACRE TRACT DESCRIBED IN A DEED TO TRANSIT MIX CONCRETE & MATERIALS COMPANY RECORDED IN VOLUME 1771, PAGE 467 OF THE D.R.M.C.T. SAID 1/2" IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF SAID 43.472 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 1/2" IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE OF FARM TO MARKET HIGHWAY 3400 MARKING THE SOUTHEAST CORNER OF SAID 0.34 ACRE TRACT AND THE SOUTHWEST CORNER OF THE REMAINDER OF SAID 64.71 ACRE TRACT BEARS S 19°42'00" E – 8.16';

THENCE N 17°20'03" W – 1464.24' WITH THE EAST RIGHT-OF-WAY LINE OF SAID FARM TO MARKET HIGHWAY 3400 GENERALLY ALONG A BARBED WIRE FENCE TO A 1/2" IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF A CALLED 29.75 ACRE TRACT DESCRIBED AS TRACT FIVE IN A DEED TO ALBERTO COMACHO LOREDO, D/B/A LOREDO TRUCKING RECORDED IN McLENNAN COUNTY CLERK'S DOCUMENT (M.C.C.D.) 2013000403 OF THE OFFICIAL PUBLIC RECORDS OF McLENNAN COUNTY, TEXAS (O.P.R.M.C.T.), SAME BEING THE NORTHWEST CORNER OF SAID 43.472 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 1/2" IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE OF FARM TO MARKET HIGHWAY 3400 MARKING THE NORTHWEST CORNER OF SAID 29.75 ACRE TRACT BEARS N 17°25'10" W – 1437.46';

THENCE N 58°34'43" E – 1129.64' WITH THE COMMON LINE OF SAID 43.472 ACRE TRACT AND SAID 29.75 ACRE TRACT, GENERALLY ALONG A BARBED WIRE FENCE TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET IN THE WEST LINE OF A CALLED 24.308 ACRE TRACT DESCRIBED AS TRACT ONE IN SAID DEED TO ALBERTO COMACHO LOREDO, D/B/A LOREDO TRUCKING FOR THE SOUTHEAST CORNER OF THE 29.75 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF THE 43.472 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE S 32°16'57" E – 447.87' WITH THE COMMON LINE OF SAID 43.472 ACRE TRACT AND SAID 24.308 ACRE TRACT TO A 1/2" IRON ROD WITH A CAP STAMPED "WALKER PARTNERS" SET MARKING THE SOUTHWEST CORNER OF THE 24.308 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF A CALLED 7 ACRE TRACT DESCRIBED IN A DEED TO ANDREW JAMES RECORDED IN VOLUME 454, PAGE 605 OF THE D.R.M.C.T. FOR AN ANGLE POINT OF THE 43.472 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT, FROM WHICH A DISTURBED 1/2" IRON ROD FOUND BEARS S 58°04'16" W – 0.91', AND A 1/2" IRON ROD FOUND IN THE WEST RIGHT-OF-WAY LINE OF FARM TO MARKET HIGHWAY 434, ALSO KNOWN AS SOUTH 3RD STREET MARKING THE NORTHEAST CORNER OF THE 7 ACRE TRACT BEARS N 59°48'15" E – 1613.83';

THENCE S 33°01'50" E – 391.42' WITH THE EAST LINE OF SAID 43.472 ACRE TRACT, BEING COMMON WITH THE WEST LINE OF SAID 7 ACRE TRACT AND THE WEST LINE OF A CALLED 7.51 ACRE TRACT DESCRIBED IN A DEED TO ANDREW JAMES RECORDED IN VOLUME 455, PAGE 278 OF THE D.R.M.C.T., GENERALLY ALONG A BARBED WIRE FENCE TO A 1" IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF SAID 7.51 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF A CALLED 3.7 ACRE TRACT DESCRIBED IN A DEED TO JULIAN BALDERAS AND WIFE, MARIA P. BALDERAS RECORDED IN M.C.C.D. 2001038785 OF THE O.P.R.M.C.T. FOR AN ANGLE POINT OF THE 43.472 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE S 34°09'47" E – WITH THE COMMON LINE OF SAID 43.472 ACRE TRACT AND SAID 3.7 ACRE TRACT, AT 409.40' PASS THE SOUTHWEST CORNER OF THE 3.7 ACRE TRACT, SAME BEING AN OUTSIDE CORNER OF THE ABOVE MENTIONED REMAINDER OF THE CALLED 64.71 ACRE TRANSIT MIX CONCRETE & MATERIALS COMPANY TRACT, FROM WHICH A 1/2" IRON ROD FOUND FOR REFERENCE BEARS S 59°28'17" W – 0.24', CONTINUING WITH THE COMMON LINE OF THE 43.472 ACRE TRACT AND THE REMAINDER OF THE 64.71 ACRE TRACT **A TOTAL DISTANCE OF 597.50'** TO A 1/2" IRON ROD FOUND MARKING AN INSIDE CORNER OF THE REMAINDER OF THE 64.71 ACRE FOR THE SOUTHEAST CORNER OF THE 43.472 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 3/8" IRON ROD IN CONCRETE BY A FENCE CORNER POST FOUND MARKING AN INSIDE CORNER OF THE REMAINDER OF THE 64.71 ACRE TRACT AT THE NORTHEAST CORNER OF THE REMAINDER OF A CALLED 54.8 ACRE TRACT DESCRIBED AS TRACT 3 IN A DEED TO BOBBY RADLE RECORDED IN M.C.C.D. 2016017103 OF THE O.P.R.M.C.T. BEARS S 34°17'21" E – 46.85', AND A 3" DIAMETER METAL PIPE IN CONCRETE FOUND IN THE EAST LINE OF THE REMAINDER OF SAID 54.8 ACRE TRACT MARKING AN OUTSIDE CORNER OF THE REMAINDER OF THE 64.71 ACRE TRACT BEARS S 34°17'21" E – 46.85' AND S 30°44'50" E – 69.37';

THENCE S 59°09'55" W – 1532.41' WITH THE COMMON LINE OF SAID 43.472 ACRE TRACT AND THE REMAINDER OF SAID 64.71 ACRE TRACT RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 43.482 ACRES OF LAND AS SURVEYED BY DANA B. SPIGENER, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4809 ON MARCH 12, 2022. BEARINGS CITED WITHIN THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.

Dana B. Spigener
DANA B. SPIGENER, R.P.L.S. 4809



PREPARED: MARCH 28, 2022
REVISED: APRIL 5, 2022
PROJ NO. 1-03676.00
PLAT NO. D1-0566
FIELD NOTE NO. 01_43.482 AC
MAP CHECKED: APRIL 5, 2022

ATTACHMENT E
PERMIT AND AFFIDAVIT TO THE PUBLIC

July 26, 1977

Honorable M. A. Smith
Mayor of Waco
P. O. Box 1370
Waco, Texas 76703

Subject: Solid Waste - McLennan County
City of Waco - Solid Waste Permit No. 1039
3,000 Ft. SW of Int. of FM 434 (S. 3rd St.) and Tinsley Rd.
and 1/3 Mi. S of Tinsley Rd.
Coordinates: N 31°30.00' W 97°05.00'

Dear Mayor Smith:

A permit for your solid waste disposal site at the above location is enclosed. We appreciate your cooperation in our evaluation and approval procedures.

Acceptance of this permit constitutes an acknowledgement that the permittee will comply with all of the terms, provisions, conditions, limitations, and other restrictions embodied in this permit; with the "Municipal Solid Waste Management Regulations" of the Texas Department of Health Resources; and with the pertinent laws of the State of Texas.

We are enclosing a copy of this Department's latest "Municipal Solid Waste Management Regulations" which became effective April 20, 1977. Particular attention is invited to Section F which prescribes procedures which must be followed with respect to ground and surface water protection; the disposal of mixed and special wastes; and disposal of hazardous wastes.

R. H. E.
Don
for JCC


Your solid waste disposal facility is subject to inspection by State and local authorities and public health officials at any reasonable time. If this Department can provide any further information or should you have any questions regarding the requirements of this Department's "Municipal Solid Waste Management Regulations", please feel free to contact us at any time.

Sincerely,

G. R. Herzik, Jr., P. E.
Deputy Director for Environmental
and Consumer Health Protection

JCC:lat
Enclosure

cc: Region 6, TDHR
Waco-McLennan County Health Department
Senator Grant Jones
Representative Letty Denton
Representative Lyndon Olson, Jr.

*RWR
Don
for JCC*

Texas Department of Health Resources

AUSTIN

TEXAS

INTER - OFFICE

FROM Edwin B. Fuller Jack C. Carmichael, P.E.
Hearings Examiner Division of Solid Waste Management

SUBJECT Solid Waste - McLennan County
City of Waco
Permit Application No. 1039

The attached permit with special provisions has been signed and sealed by the Director and received a final review by the Hearings Examiner.

This permit is now ready to be transmitted to the applicant.

Notice of this action has been sent this date to Mr. Greg Humboch, 6224 May Dr., Waco, Texas 76710.

EBF/ah

SIGNED [Signature]

DATE July 22, 1977

Permit No. 1039

Coordinates: N 31°30.00' W 97°05.00'

PERMIT FOR A MUNICIPAL SOLID WASTE FACILITY
issued under provisions of Article 4477-7, Vernon's
Texas Civil Statutes, and the Texas Department of Health
Resources' "Municipal Solid Waste Management Regulations"

Permittee

Name: City of Waco
Address: P. O. Box 1370
Waco, Texas 76703

Site Owner

Name: Neeley Sand and Gravel, Inc.
Address: Box 705
Waco, Texas 76703

Legal Description of Site: The legal description as submitted in the application is hereby made a part of this permit.

Size and Location of Site: The 64.71-acre site is located 3,000 feet southwest of the intersection of N. 434 (South 3rd Street) and Tinsley Road and 1/3 mile south of Tinsley Road in the extraterritorial jurisdiction of the City of Waco in McLennan County.

Operational Classification of Site: Type I

Waste Disposal Methods Used at Site: Area method of disposal with daily compaction of solid waste and cover with a minimum of six (6) inches of compacted earth, except as otherwise required by the attached Special Provisions.

Description of Waste Materials Processed at Site: Solid wastes under the regulatory jurisdiction of the Texas Department of Health Resources, when disposed of or processed in accordance with the Department's "Municipal Solid Waste Management Regulations".

Standard Provision: Acceptance of this permit constitutes an acknowledgement that the permittee will comply with all of the terms, provisions, conditions, limitations and other restrictions embodied in this permit; with the "Municipal Solid Waste Management Regulations" of the Texas Department of Health Resources; and with the pertinent laws of the State of Texas.

Special Provisions: See Attachment - "Special Provisions for Municipal Solid Waste Permit No. 1039".

This permit will be valid until cancelled or revoked by the Director of the Texas Department of Health Resources or until the site is completely filled and rendered unusable, whichever occurs first.

Given under my Hand and Seal of Office at Austin, Texas on the 22nd day of July, 1977.

/s/ Fratis L. Duff, M.D.
Fratis L. Duff, M. D.
Director

RVR
Wam

(REAL)

SPECIAL PROVISIONS FOR MUNICIPAL SOLID WASTE PERMIT NO. 1039

- A. Property Rights: It is the responsibility of the herein named permittee to possess or acquire a sufficient interest in or right to the use of the property herein described for the purposes for which this permit is issued. The granting of this permit does not convey any property rights or interest in either real or personal property, nor does it authorize any injury to private property or invasion of personal rights, nor any infringement of Federal, State or local laws or regulations outside the scope of the authority under which this permit is issued.
- B. Groundwater Protection: Prior to depositing any solid waste in any excavation, the permittee shall provide to the Department a certificate from a registered professional engineer that testing by a soils laboratory of soil layers, in their undisturbed, natural, or original condition, that will form the bottom and sides of such excavation has been performed and lining provided where necessary. Such report of testing shall include soil classification, depth of lining, and field densities to insure sufficient impermeability.
- C. Surface Water Protection: Rainfall runoff within the landfill that has become contaminated by solid waste shall not be discharged from the site.
- D. Odor and Air Pollution Control:
1. Any ponded water at the site must not become a source of obnoxious odors.
 2. All applicable Texas Air Control Board regulations concerning air pollution control shall be observed.
- E. Site Development and Operation:
1. The permittee shall monitor bird flight activity to determine if birds which may be attracted to the landfill site create an air navigation hazard in the primary approach and departure areas of the nearby airport. The permittee, for a period of two (2) years, shall submit to the Fort Worth Airports District Office, Federal Aviation Administration, P. O. Box 1639, Fort Worth, Texas 76101, with a copy to the Texas Department of Health Resources, a monthly letter report indicating the level of bird activity associated with the operation of this site. At any time that there is an increase in the amount of birds attracted to the landfill site, the permittee shall contact the airport manager to determine if the landfill bird activity is creating an air navigation safety hazard. Should such a hazard appear to exist in the opinion of the airport manager, the permittee shall submit a special letter report to the Airports District Office with a copy to the Department. Upon receipt of such report, the Airports District Office and the Department may conduct a joint inspection of the landfill site and airport area to determine if an air navigation hazard exists and whether or not the hazard is attributed to the landfill operation. If it is determined that the hazard is attributed to the landfill, the permittee shall immediately cease receiving solid waste and cover all exposed solid waste with two feet of soil. Operations shall not be resumed without the concurrence of the Department.

not per
gll

At any time subsequent to the initial two-year reporting period, the Department may reinstitute the requirement to submit periodic bird activity reports if a site inspection by the Department reveals that the landfill site is attracting a significant amount of birds which could create an air navigation safety hazard.

2. Brush and construction-demolition waste disposal shall be accomplished as outlined in subsection F-3 (Operational Standards for Type IV Operation) of the Department's "Municipal Solid Waste Management Regulations" dated April 1977 within an area specifically designated for that purpose and physically separated from other disposal operations by fencing, with access through a separate or controlled entrance.
- F. Site Closing: When disposal operations are completed and/or before abandonment of the site, the disposal area shall be completely and properly closed in accordance with the regulations of the Texas Department of Health Resources pertaining thereto.
- G. Surety Bond: Not required.

R. [unclear] [unclear] [unclear]
Feb

LEGAL DESCRIPTION OF TRACT
OF LAND FOR USE BY
CITY OF WACO
AS A SOLID WASTE DISPOSAL SITE

STATE OF TEXAS

COUNTY OF McLENNAN

64.71 acres of land out of the Carlos O'Campo Grant in McLennan County, Texas and being a part of those certain tracts of land described as being First, Second, Third and Fourth Tracts by deeds to Jim Radle and recorded in Volume 855, Page 426 and Volume 916, Page 72 of the McLennan County, Texas deed Records, respectfully.

Beginning at an iron stake in the west line of Farm-to-Market Road #434, sometimes known and referred to as the South 3rd Street Road, at its point of intersection with the south line of the Second Tract for the southeast corner of this; said point of beginning also being the southwest corner of that certain 0.056 acre tract of land conveyed to the McLennan County, Texas by deed recorded in Volume 621, Page 185 of the said deed records:

Thence S 62° W 2950.67 ft (1062.24 yrs.) with the south line of the said Second Tract, an old fence line, to an iron stake at its southwest corner;

Thence N 27°45' W 70 ft (25.2 yrs.), S 63°55' W 874.72 ft (314.9 yrs.) and S 62° 15' W 674.83 ft (242.94 yrs.) to an iron stake in the east line of the S.A. & A.P. Railroad right-of-way and in the west line of the said Fourth Tract for the southwest corner of this;

Thence N 14° 45' W 1473.33 ft (530.4 yrs) with the east line of the said S.A. & A.P. Railroad right-of-way and the west lines of the said Fourth and First Tracts to an iron stake for the northeast corner of this; said stake being the northwest corner of the said First Tract;

Thence N 61° 15' E 1140.8 ft (410.69 yrs.) with the north line of the said First Tract, an old fence line, to an iron stake at its northeast corner;

Thence S 30° 28' E 1248.07 Ft (449.31 yrs.) with the east line of the said First Tract and along a meandering fence line to an iron stake at its southeast corner and at the northwest corner of the said Second Tract;

Thence along a fence line, the north line of the said Second Tract, N 62° 26' E 1581.90 ft (569.48 yrs.) and N 62° 21' E 1392.77 ft (501.4 yrs.) to an iron stake in the west line of the said F. M. Road #434 and at the northwest corner of the said McLennan County, Texas Tract;

Thence S 26° 22' E 284.3 ft (102.35 yrs.) with the west line of the said F. M. Road #434 and the west line of the said McLennan County, Texas Tract to the point of beginning.

cc: City-County Health Department

RHR
KRM

Jack C. Carmichael, P. E.
Director
Division of Solid Waste Management

Mr. Hal L. Nelson, Assistant Chief
Legal and Claims Services

Solid Waste - McLennan County
City of Waco - Permit Application No. 1039
3,000 Ft. SW of Int. of FM 434 (S 3rd St.) and Tinsley Rd., and
1/3 Mi. S of Tinsley Rd.
Coordinates: N 31°30.00' W 97°05.00'

On February 22, 1977, the Texas Department of Health Resources received an application for a permit to operate a proposed Type I municipal solid waste landfill near Waco, McLennan County, Texas. The application was processed in accordance with this Department's "Municipal Solid Waste Management Regulations", and the "Solid Waste Disposal Act", Article 4677-7, Vernon's Texas Civil Statutes. Appropriate agencies, officials, and authorities were provided an opportunity to comment on the application. Following due notice by publication in a local newspaper of a public hearing notice, a public hearing was held at the City Council Room, City Hall, in Waco, McLennan County, on May 25, 1977. The hearing record was closed at the end of the hearing, there being no apparent reason for the record to remain open. The decision by the Director of the Texas Department of Health Resources will be due by July 25, 1977.

The application for permit and supporting materials received by the Texas Department of Health Resources from the applicant consisted of the following:

1. Municipal Solid Waste Permit Application
2. Map showing the location of the site
3. Legal description of the site
4. Engineering report prepared by City of Waco Engineering Department
5. Soil test report

The following persons from the Texas Department of Health Resources conducted the public hearing:

1. Mr. Edwin B. Fuller, Hearings Examiner
2. Mr. Robert H. Ray, P. E., Project Engineer

The following person from the Texas Department of Health Resources also participated in the public hearing:

Mr. Earl A. Ballman, P. E., Region 6

P. H. L.
Wm

Significant comments by review agencies are summarized as follows:

1. Texas Water Quality Board: If this site is approved by the Texas Department of Health Resources, the following recommendations may be considered to decrease the hazard to ground and surface water quality:
 - a. Solid waste should not be disposed of within three feet of the water table. Consideration should be given to the possibility of variations in the depth to water table at this site.
 - b. Any excavation at the site should be lined with suitable material to prevent the exfiltration of leachates. Such lining is essential where water-bearing sands and/or gravels are present.
 - c. Surface water diversion dikes should be constructed to divert runoff away from the site. Diversion dikes also serve to contain contaminated surface water within the site boundaries.
 - d. Working face berms should be constructed to minimize the amount of contaminated water.
 - e. Contaminated water should not be discharged from the site.
2. Texas Air Control Board: We have reviewed the above cited document and recommend approval. An investigation of the site indicates outdoor burning is prohibited under Texas Air Control Board Regulation I, Rule 101.23. We would remind the applicant that the site must be operated in compliance with all Board Rules and Regulations, specifically those pertaining to outdoor burning, particulate matter and nuisances.
3. Texas Water Development Board: The proposed operation will not affect the flood waters of any stream and an "Application for Approval of a Levee Project" will not be required.
4. State Department of Highways and Public Transportation: This agency was not contacted inasmuch as no primary highway is located within 1,000 feet of this site.
5. County Judge: No comments were received.
6. County Health Authority: No comments were received.
7. Mayor of Waco: No comments were requested inasmuch as the City is the applicant.
8. Municipal Health Authority: (Waco-McLennan County Health Department) No comments were received.

RHP
AM

9. Federal Aviation Administration: The proposed site is adjacent to the Flying Heart Ranch Airport owned by Mr. Joe A. Stahl, Route 6, Box 230, Waco, Texas 76706. As you may realize, there is a landfill immediately adjacent to the airport. This landfill has been in existence for several years, and we have received no complaints of birds in the area. For this reason, we do not object to the issuance of this permit; however, it is requested that the usual two year, monthly reporting procedure be included as a special condition of the permit.
10. Fort Worth District, U.S. Army Corps of Engineers: A Corps of Engineers permit under the "Federal Water Pollution Control Act" will not be required inasmuch as no fill materials will be discharged into navigable waters or contiguous or adjacent wetlands.

Texas Department of Health Resources Comments:

1. TDHR Region 6: The proposed solid waste site contains 64.71 acres with estimated usage of two years. The site is under the extrajurisdictional jurisdiction of the City of Waco and leased from Neeley Sand and Gravel, Inc. Gravel and sand was mined from the site by the owner. The land use within one mile of the site is primarily used for agricultural purposes. Some mining of sand and gravel continues in the vicinity. The City is currently using a site directly north of the proposed site. The residence nearest the south side of the site obtains its water for human consumption from a community water system. The City plans to monitor the individual water wells as shown on the engineering plans on a monthly basis in order to make sure that there is no contamination occurring.

The ground water table varies from 13 to 18 feet below the normal ground elevation according to the soil boring information. The sides and bottoms of all landfill trenches or disposal areas must be properly lined with a minimum of three (3) feet of selected impermeable clay type material to prevent the percolation of leachate into the groundwater when permeable soil areas are encountered. The selected impermeable clay type material referred to should have a permeability of not more than 1×10^{-7} cm/sec with a Liquid Limit of not less than 30, and a Plasticity Index of not less than 15. A minimum of three feet of bottom lining must be maintained above the groundwater elevation before placement of solid waste.

Suitable working face dikes and/or any other suitable water diversion methods should be provided to control and minimize contact between the water and solid waste.

RWC
DAN

Rainfall runoff within landfill area must not be discharged from the site. The site is located 100 feet from the end of the secondary runway and 1,250 feet parallel to the primary runway of a private airstrip owned by the Flying Heart Ranch. The City officials stated that the owner presently uses the airstrip very seldom. The City's existing sanitary landfill occupies the land that is leased from the Flying Heart Ranch. The existing landfill site is located adjacent to both runways.

Mr. Jim Hamm, Director of Public Services, states that the City plans to amend the permit application not only for a Type I site, but also for a Type V (Brush-Demolition Waste Disposal Site) within the same facility.

Based on the inspection of the site location and information, available it is the writer's (Earl A. Ballman, P. E.) opinion that the disposal of municipal solid waste at the site, if operated in compliance with the Department's "Municipal Solid Waste Management Regulations", dated April 1977, will not present any public health problems to the surrounding area.

2. Division of Solid Waste Management:

- a. Geologist: Site is located in abandoned sand and gravel quarry in fluviatile terrace deposits composed of gravel, sand, silt, and clay along the Brazos River. These deposits overlie the Ozan formation ("lower Taylor marl"). Sand and gravel have apparently been removed from excavations which were carried to a depth of about 24 feet or to the "blue clay" (Ozan), with the "fines" left so that the pit is backfilled to within about 12 feet at the surface. Depth to groundwater in the borings ranged between elevations 386 feet and 391 feet. The groundwater level at this site is likely subject to fluctuation as it probably is in hydrologic contact with the Brazos River flow. These terrace and alluvial deposits produce useable groundwater. Site should be satisfactory if operational procedure as described in Section H.5 of the application is maintained, namely: "This pit will be cleaned around the periphery down to the shale bottom and the sides will be sealed from 4 feet to 6 feet horizontal thickness of the heavy Bell clay up to above the groundwater level. Bottom and sides of the site will be sealed with 2 feet to 4 feet of the heavy Bell clay". Atterberg limits and permeability tests on the Bell clay overburden indicate that it should be suitable lining material when recompacted.

R. E. Hamm

- b. Project Engineer: This is a proposed Type I solid waste landfill located within the extraterritorial jurisdiction of the City of Waco in McLennan County. The site contains an area of approximately 64.71 acres. The site is located to the south of an existing landfill. The surrounding land use is mainly agricultural with some sand and gravel mining. There are no water wells within 500 feet of the proposed site. The houses in the vicinity of the landfill are reported by the City of Waco to receive drinking water from a community water system. The engineering report states that a monthly chemical analysis will be made of the wells near this site to determine if contamination has taken place. The water table is from 13 feet to 18 feet below natural ground level in the area of this site. There were six (6) soil borings made but only one (1) bag sample was submitted to a commercial testing laboratory for analysis for permeability, liquid limits and plasticity index, all of which meet the requirements of the Department's Regulations. The logs of the borings indicate that a gravel stratum is encountered as shallow as 6 feet below the surface. It is recommended that this site be lined, in the bottom and sides, with a minimum of three (3) feet of compacted clay to prevent groundwater contamination. The operational plan submitted by the City of Waco, if followed, should prevent any contamination of ground or surface water in the area.

Additional Comments or Considerations:

The testimony presented at the public hearing indicates that this can be operated as a good Type I solid waste disposal site. Mr. James O. Hamm, P. E., Director of Public Services for the City of Waco, testified that there were no water wells within 500 feet of the proposed site. The City has had soil tests made on the soils at the site and these meet or exceed the requirements of the Department. This proposed site is adjacent to the existing landfill. The water that is presently in the site will be pumped out and the site will be lined with three (3) feet of compacted clay-type material before it is put into operation. The groundwater level in this area varies from 13 to 18 feet below the surface and the plan is to stay 3 feet above the water table. There will be an area set off for brush and construction-demolition materials. There are no pipe lines on the site and no hazardous materials are accepted. If disposal of this type of material is requested of the City, the Health Department will be contacted for special instructions before such materials are accepted for disposal.

A site inspection by the Project Engineer indicates that the testimony presented and the information contained in the engineering report submitted with the permit application are correct.

The comments by the Texas Water Quality Board concerning lining of the site, depositing material within 3 feet of the water table, diversion dikes and discharge of contaminated water from the site were answered in the engineering report submitted by the City and the testimony at the public hearing. All of the requirements suggested will be complied with.

*Rome
Ham*

It is recommended that permit No. 1039 with special provisions to operate a solid waste disposal site, as proposed in the attachment hereto, be issued to the City of Waco in view of the preceding comments and for the following specific reasons:

1. Recommendations from responsible officials and agencies regarding the technical aspects of the application are almost totally favorable to the issuance of a permit. Issuance of the permit with the proposed special provisions should not significantly endanger the health, welfare or physical property of the residents of the area.
2. The information submitted by the applicant and the testimony presented at the public hearing indicate that this can be operated as a good Type I solid waste disposal landfill.
3. The landfill, if operated according to the Texas Department of Health Resources' "Municipal Solid Waste Management Regulations", is not expected to become a public health hazard or public nuisance.
4. There was no opposition or objections to the operation of this solid waste disposal site offered before or during the public hearing.

RHR:lat
Attachments

Signed _____

Date _____

JLB

7-14-77

*RHR
Wom*

copy-RGN 6

CBC-5

JLG



CITY OF

Waco

P. O. BOX 1370

WACO, TEXAS 76703

CITY ENGINEER

July 8, 1983

Mr. L. B. Griffith, Jr., P. E., Director
Surveillance and Enforcement Division
Bureau of Solid Waste Management
Texas Department of Health
1100 West 49th Street
Austin, TX. 78756

Re: Solid Waste Permit No. 1039
City of Waco

Dear Mr. Griffith:

I am enclosing the following items relating to closure of the referenced landfill site:

- 1.) A certified copy of the "Affidavit to the Public"
- 2.) Our request for voluntary cancellation of the permit
- 3.) A contour map showing results of the final grading survey

Please call if any additional information is needed.

Sincerely yours,

Larry D. Groth, P. E.
City Engineer

LDG/lq
attachments

xc: Layton Nehring, Solid Waste Administrator

TEXAS DEPT. OF HEALTH
1983 JUL 13 PM 2:49
DIV. OF SOLID WASTE MANAGEMENT

ATTACHMENT II

The following legal description is that portion of land that was used in actual landfilling operations in the City of Waco solid waste disposal site authorized under Permit No. 1039:

Being 44.74 acres of land out of the Carlos O'Campo Grant in McLennan County, Texas and being a portion of those certain tracts of land described as being First, Second, Third and Fourth Tracts by deeds to Jim Radle and recorded in Volume 855, Page 426 and Volume 916, Page 72 of the McLennan County Deed Records and being more particularly described as follows:

BEGINNING at an iron stake for corner, said stake being in the east right-of-way of FM 3400 and said stake also being the southwest corner of said Fourth Tract;

THENCE N $14^{\circ} 45'$ W 1473.33 feet along the east right-of-way of FM 3400 to an iron stake for corner, said stake being the northwest corner of said First Tract;

THENCE N $61^{\circ} 15'$ E 1140.80 feet to an iron stake for corner, said stake being the northeast corner of said First Tract;

THENCE S $30^{\circ} 28'$ E 1248.07 feet and S $32^{\circ} 08'$ E 234.94 feet to an iron stake for corner;

THENCE S $63^{\circ} 55'$ W 847.72 feet and S $62^{\circ} 15'$ W 674.83 feet to the place of beginning.

Filed for Record on the 8 day of July A.D. 1983 at 3⁰⁰ o'clock P. M.
Duly Recorded this the 11 day of July A.D. 1983 at 9⁰⁰ o'clock A. M.

FRANK DENNY, County Clerk
McLennan County, Texas

By Leggy Mann Deputy

THE STATE OF TEXAS
COUNTY OF McLENNAN

} I, Frank Denny, Clerk of the County Court and Ex-Officio Recorder

of McLennan County, Texas, do hereby certify that the above and foregoing is a true and correct copy of a
certain **Affidavit** from **The City of Waco**

as the same appears of record in book **1446** page **347** one of the **Deed** Records of McLennan
County.

In Testimony Whereof, and to certify which, I hereunto sign my name officially and
affix the seal of said County Court, at my office in the City of Waco, this
11 day of **July** 19**83**.

FRANK DENNY

Clerk County Court and Ex-Officio Recorder, McLennan County, Texas

5M-2-86

By *Reagy Moon* Deputy.

15032

AFFIDAVIT TO THE PUBLIC

STATE OF TEXAS

COUNTY OF McLENNAN

Before me, the undersigned authority, on this day personally appeared Larry D. Groth who, after being by me duly sworn, upon oath states that he is the agent for the site operator, the City of Waco, which has a license agreement to make use of a certain tract or parcel of land lying and being situated in McLennan County, Texas, and being more particularly described as follows:

SEE ATTACHMENT I

Said property being owned by Neeley Sand & Gravel, Inc. The undersigned further states that from the year 1978 to the year 1982 there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on that portion of the aforesaid tract described as follows:

SEE ATTACHMENT II

WITNESS MY HAND on this the 8th day of July, 1983.

City of Waco

BY: Larry D. Groth
Larry D. Groth, P. E.
City Engineer

SWORN TO AND SUBSCRIBED before me on this the 8th day of July, 1983.



Linda Germany
Notary Public in and for
the State of Texas

76-52-5-8

ATTACHMENT I

JAN 27 1976

THE STATE OF TEXAS)
)
 COUNTY OF McLENNAN)

KNOW ALL MEN BY THESE PRESENTS:

THIS LICENSE AGREEMENT entered into by the CITY OF WACO, a municipal corporation, hereinafter called "Licensee," and NEELLEY SAND & GRAVEL, INC. hereinafter called "Licensor,"

WITNESSETH:

I.

The Licensor hereby licenses the Licensee to use the hereinafter described land for a sanitary landfill:

64.71 acres of land out of the Carlos O'Campo Grant in McLennan County, Texas and being a part of those certain tracts of land described as being First, Second, Third and Fourth Tracts by deeds to Jim Radle and recorded in Volume 855, Page 426 and Volume 916, Page 72 of the McLennan County, Texas deed Records, respectfully.

Beginning at an iron stake in the west line of Farm-to-Market Road #434, sometimes known and referred to as the South 3rd Street Road, at its point of intersection with the south line of the Second Tract for the southeast corner of this; said point of beginning also being the southwest corner of that certain 0.056 acre tract of land conveyed to the McLennan County, Texas by deed recorded in Volume 621, Page 185 of the said deed records:

Thence S 62° W 2950.67 ft (1062.24 yrs.) with the south line of the said Second Tract, an old fence line, to an iron stake at its southwest corner;

Thence N 27° 45' W 70 ft (25.2 yrs.), S 63° 55' W 874.72 ft (314.9 yrs.) and S 62° 15' W 674.83 ft (242.94 yrs.) to an iron stake in the east line of the S. A. & A. P. Railroad right-of-way and in the west line of the said Fourth Tract for the southwest corner of this;

Thence N 14° 45' W 1473.33 ft (530.4 yrs) with the east line of the said S.A. & A. P. Railroad right-of-way and the west lines of the said Fourth and First Tracts to an iron stake for the northeast corner of this; said stake being the northwest corner of the said First Tract;

Thence N 61° 15' E 1140.8 ft (410.69 yrs.) with the north line of the said First Tract, an old fence line, to an iron stake at its northeast corner;

Thence S 30° 28' E 1248.07 Ft (449.31 yrs.) with the east line of the said First Tract and along a meandering fence line to an iron stake at its southeast corner and at the northwest corner of the said Second Tract;

Thence along a fence line, the north line of the said Second Tract, N 62° 26' E 1581.90 ft (569.48 yrs.) and N 62° 21' E 1392.77 ft (501.4 yrs.) to an iron stake in the west line of the said F. M. Road #434 and at the northwest corner of the said McLennan County, Texas Tract;

Thence S 26° 22' E 284.3 ft (102.35 vrs.) with the west line of the said F. M. Road #434 and the west line of the said McLennan County, Texas Tract to the point of beginning.

II.

The consideration for said license is that the Licensee will use the land as a sanitary landfill and will level off said landfill with available topsoil after it has been completely filled.

III.

The said license shall extend for such time until the said premises can no longer be used as a sanitary landfill, but may be terminated by either party by giving one hundred eighty (180) days written notice.

IV.

The Licensor hereby agrees that the Licensee shall not be held liable for any damages or injuries occurring on or to the said premises as a result of such premises being used by Licensee for sanitary landfill and the Licensee hereby agrees that there shall be no liability on the part of the Licensor for any claim of any third party for damages or injuries on the premises during the period of this license agreement as a result of any negligent acts on the part of the Licensee, its agents or employees.

V.

Licensee agrees to fill one excavated area at a time prior to filling the next and the Licensee agrees to use only the portion of the above described land which is released by Licensor and agrees not to interfere with their removal of gravel in the ground or stockpiled.

VI.

Licensor reserves the right to except any part of land under this agreement from being used as landfill by giving written notice to the Director of Public Works stating the exact location to be excepted.

VII.

The Licensor also grants right of ingress and egress across the property made the subject of this lease and described herein.

VIII.

It is expressly agreed by the parties hereto that all terms and conditions of said lease are contained solely within the written terms of this instrument.

WITNESS OUR HANDS at Waco, Texas, this the 27th
day of January, 1976.

CITY OF WACO, TEXAS

BY David F. Smith, Jr.
David F. Smith, Jr., City Manager
LICENSEE

ATTEST:

Raymond T. B. [unclear]
City Secretary

APPROVED AS TO FORM & LEGALITY:

Eric [unclear]
City Attorney

NEELLEY SAND & GRAVEL, INC.

BY [Signature]
LICENSOR

ATTACHMENT F
SOIL BORING PLAN AND BORING LOGS



CLIENT SCS Engineers PROJECT NAME Solid Waste Transfer Station
 PROJECT NUMBER W22-074 PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
0.0		LEAN CLAY; brown												
2.5			ST			4.5+								
			SS		7-8-9 (17)									
			SS		7-7-9 (16)									
5.0														

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 5 ft.
 Date Started: 10/12/22
 Completed: 10/12/22
 Logged by: D. Mims - Drake

Remarks: Boring was advanced to a depth of 5 feet using dry drilling techniques. Groundwater was not observed above that depth.

LANGERMAN FOSTER - NO ELEVATION - GINT STD US LAB.GDT - 10/26/22 11:43 - Z:\GINT PROJECTS\W22-074 - SOLID WASTE TRANSFER STATION PART 1.GPJ



CLIENT SCS Engineers PROJECT NAME Solid Waste Transfer Station
 PROJECT NUMBER W22-074 PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
0.0		FILL - LEAN CLAY; gray-brown	ST			4.5+								
2.5		FILL - LEAN CLAY; gray-brown to red-tan	SS		9-14-14 (28)									
		A												
5.0		SS			7-7-12 (19)									
		A												

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 6 ft.
 Date Started: 10/13/22
 Completed: 10/13/22
 Logged by: L. Fleischhauer

Remarks: Boring was advanced to a depth of 6 feet using dry drilling techniques. Groundwater was not observed above that depth.

LANGERMAN FOSTER - NO ELEVATION - GINT STD US LAB.GDT - 10/26/22 11:43 - Z:\GINT PROJECTS\W22-074, SOLID WASTE TRANSFER STATION PART 1.GPJ



CLIENT SCS Engineers

PROJECT NAME Solid Waste Transfer Station

PROJECT NUMBER W22-074

PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
0.0		FILL - LEAN CLAY; red-tan and gray-brown												
			ST			4.5+								
2.5		--- with wood fragments below 2 feet	SS		11-11-11 (22)									
			A											
5.0			SS		2-1-1 (2)									
			A											
7.5			SS		5-8-12 (20)									

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 7.5 ft.
 Date Started: 10/13/22
 Completed: 10/13/22
 Logged by: L. Fleischhauer

Remarks: Boring was advanced to a depth of 7.5 feet using dry drilling techniques. Groundwater was not observed above that depth.

LANGERMAN FOSTER - NO ELEVATION - GINT STD US LAB.GDT - 10/26/22 11:43 - Z:\GINT PROJECTS\W22-074, SOLID WASTE TRANSFER STATION PART 1.GPJ



CLIENT SCS Engineers

PROJECT NAME Solid Waste Transfer Station

PROJECT NUMBER W22-074

PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
0.0		FILL - LEAN CLAY; tan	ST			4.5+								
2.5		FILL - LEAN CLAY; dark gray, trace gravel	SS		12-13-11 (24)									
				A										
5.0		FILL - LEAN CLAY; dark gray-brown, with burned wood fragments	SS			5-4-3 (7)								
				A										
7.5			SS											

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 7.5 ft.
 Date Started: 10/13/22
 Completed: 10/13/22
 Logged by: L. Fleischhauer

Remarks: Boring was advanced to a depth of 7.5 feet using dry drilling techniques. Groundwater was not observed above that depth.



CLIENT SCS Engineers

PROJECT NAME Solid Waste Transfer Station

PROJECT NUMBER W22-074

PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
0.0		Approximate Surface Elevation feet												
		FAT CLAY; dark brown	ST			4.5+								
2.5		--- dark gray below 2.5 feet	A											
			SS		8-7-8 (15)									
			A											
5.0			SS		5-6-7 (13)									
		CLAYEY SAND; red-tan	ST											
7.5			SS		11-10-12 (22)									

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 8 ft.
 Date Started: 11/3/22
 Completed: 11/3/22
 Logged by: L. Fleischhauer

Remarks: Boring was advanced to a depth of 8 feet using dry drilling techniques. Groundwater was not observed above that depth.



CLIENT SCS Engineers PROJECT NAME Solid Waste Transfer Station
 PROJECT NUMBER W22-074 PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
0.0		Approximate Surface Elevation feet												
		CLAYEY SAND; brown, with gravel	ST			4.5+								
2.5		FAT CLAY; dark gray	A											
			SS		4-5-4 (9)									
5.0			ST			4.5+								
		SANDY LEAN CLAY; tan	A											
7.5			SS		4-6-9 (15)									

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 8 ft.
 Date Started: 11/3/22
 Completed: 11/3/22
 Logged by: L. Fleischhauer

Remarks: Boring was advanced to a depth of 8 feet using dry drilling techniques. Groundwater was not observed above that depth.

LANGERMAN FOSTER - GINT STD US LAB.GDT - 11/4/22 09:26 - Z:\GINT PROJECTS\W22-074, SOLID WASTE TRANSFER STATION PART 1.GPJ



CLIENT SCS Engineers PROJECT NAME Solid Waste Transfer Station
 PROJECT NUMBER W22-074 PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
0.0		LEAN CLAY; gray-brown to dark gray	ST			4.5+								
2.5			SS		13-12-11 (23)									
			A											
5.0			SS		9-10-10 (20)									

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 5.5 ft.
 Date Started: 10/13/22
 Completed: 10/13/22
 Logged by: L. Fleischhauer

Remarks: Boring was advanced to a depth of 5.5 feet using dry drilling techniques. Groundwater was not observed above that depth.

LANGERMAN FOSTER - NO ELEVATION - GINT STD US LAB.GDT - 10/26/22 11:43 - Z:\GINT PROJECTS\W22-074 - SOLID WASTE TRANSFER STATION PART 1.GPJ



CLIENT SCS Engineers PROJECT NAME Solid Waste Transfer Station
 PROJECT NUMBER W22-074 PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)	
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX						
0.0		LEAN CLAY; gray	ST			4.5+									
2.5		LEAN CLAY; red-brown	SS		11-12-15 (27)										
				A											
5.0		LEAN CLAY; gray to dark gray	SS			9-11-9 (20)									

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 5.5 ft.
 Date Started: 10/13/22
 Completed: 10/13/22
 Logged by: L. Fleischhauer

Remarks: Boring was advanced to a depth of 5.5 feet using dry drilling techniques. Groundwater was not observed above that depth.

LANGERMAN FOSTER - NO ELEVATION - GINT STD US LAB.GDT - 10/26/22 11:43 - Z:\GINT PROJECTS\W22-074, SOLID WASTE TRANSFER STATION PART 1.GPJ



CLIENT SCS Engineers PROJECT NAME Solid Waste Transfer Station
 PROJECT NUMBER W22-074 PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)	
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX						
0.0		LEAN CLAY; red-brown	ST												
2.5		LEAN CLAY; dark gray	SS		11-9-9 (18)										
				A											
5.0				SS		7-6-7 (13)									

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 5.5 ft.
 Date Started: 10/13/22
 Completed: 10/13/22
 Logged by: L. Fleischhauer

Remarks: Boring was advanced to a depth of 5.5 feet using dry drilling techniques. Groundwater was not observed above that depth.

LANGERMAN FOSTER - NO ELEVATION - GINT STD US LAB.GDT - 10/26/22 11:43 - Z:\GINT PROJECTS\W22-074, SOLID WASTE TRANSFER STATION PART 1.GPJ



CLIENT SCS Engineers PROJECT NAME Solid Waste Transfer Station
 PROJECT NUMBER W22-074 PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX					
0.0		FILL - LEAN CLAY; brown	ST			4.5+								
2.5		FILL - SANDY LEAN CLAY; red-tan	SS		4-4-5 (9)									
5.0				SS		6-8-7 (15)								

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 5 ft. Date Started: 10/12/22 Completed: 10/12/22 Logged by: D. Mims - Drake	Remarks: Boring was advanced to a depth of 5 feet using dry drilling techniques. Groundwater was not observed above that depth.
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LANGERMAN FOSTER - NO ELEVATION - GINT STD US LAB.GDT - 10/26/22 11:43 - Z:\GINT PROJECTS\W22-074 - SOLID WASTE TRANSFER STATION PART 1.GPJ



CLIENT SCS Engineers PROJECT NAME Solid Waste Transfer Station
 PROJECT NUMBER W22-074 PROJECT LOCATION Waco, TX

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	ATTERBERG LIMITS			FINES CONTENT (%)	MOISTURE CONTENT (%)	DRY UNIT WT. (pcf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	STRAIN AT FAILURE (%)	
							LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX						
0.0		LEAN CLAY; gray	A												
			SS	3-5-4 (9)											
2.5			SS	5-7-7 (14)											
5.0			SS	8-10-10 (20)											

These are PRELIMINARY logs that were issued before lab testing was completed. Once lab testing is completed, the soil descriptions and classifications will be updated as appropriate.

Completion Depth: 5 ft. Date Started: 10/5/22 Completed: 10/5/22 Logged by: L. Fleischhauer	Remarks: Boring was advanced to a depth of 5 feet using dry drilling techniques. Groundwater was not observed above that depth.
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LANGERMAN FOSTER - NO ELEVATION - GINT STD US LAB.GDT - 10/26/22 11:43 - Z:\GINT PROJECTS\W22-074 - SOLID WASTE TRANSFER STATION PART 1.GPJ

ATTACHMENT G
LANDOWNERS MAP AND LIST

1.	City of Waco Attn: Property Management P.O. Box 2570 Waco, TX 76720	2.	DBA Loreda Trucking 1551 Old Bethany Road Bruceville, TX 76630	3.	Andrew James Et Al Heir 650 Jerico Road Waco, TX 76706
4.	Balderas, Julian Etux 445 Radle Road Waco, TX 76706	5.	Balderas, Julian Etux 445 Radle Road Waco, TX 76706	6.	Ware, Lisa M 499 Radle Road Waco, X 76706
7.	Ware, George D & Lisa 499 Radle Road Waco, X 76706	8.	Brandon Mary Louise 525 Radle Road Waco, TX 76706	9.	Brandon Barrett Lee 525 Radle Road Waco, TX 76706
10.	Wiley, Kenneth 3309 Robinson Drive Apt 504 Waco, TX 76706	11.	Wiley, Lula Margaret Etvir 577 Radle Road Waco, TX 76706	12.	Wiley, Freddie 577 Radle Road Waco, TX 76706
13.	Holmes Ida Mae 2728 Madison Drive Waco, TX 76706	14.	Anderson, Mike 123 M J R Road Waco, TX 76706	15.	Anderson, Michael Ray Etux 123 M J R Road Waco, TX 76706
16.	Transit Mix Concrete & Materials Co 2525 N Stemmons Fwy Dallas, TX 75207	17.	Transit Mix Concrete & Materials Co 2525 N Stemmons Fwy Dallas, TX 75207	18.	Radle, Bobby R 817 Val Verde Place Marlin, TX 76661
19.	Radle, Bobby R 817 Val Verde Place Marlin, TX 76661	20.	Radle, Bobby R 817 Val Verde Place Marlin, TX 76661	21.	Radle, Bobby R 817 Val Verde Place Marlin, TX 76661
22.	Radle, Bobby R 817 Val Verde Place Marlin, TX 76661	23.	Trinity Materials Inc P.O Box 373 Ferris, TX 75125	24.	Lushaj Dyzet & Cindy 7506 Ledbetter Road Arlington, TX 76001
25.	Dona & Wayland Howard Parks 7448 Yolanda Drive Ft Worth, TX 76112	26.	Naegeli Stephen B & Lori A 1315 Carnation Street Katy, TX 77493	27.	Luna Alfonso P.O. Box 205 Waco, TX 76703
28.	H W H Company P.O. Box 1086 Hewitt, TX 76643	29.	Holzman Walter Richard Jr Etal 2824 Washington Street Waco, TX 76710	30.	3C Mechanical Technologies Inc 538 Jancy Street Robinson, TX 76706

ATTACHMENT H
EVIDENCE OF COMPETENCY

EVIDENCE OF COMPETENCY (30 TAC §330.59(f))

The applicant, the City of Waco, currently owns and operates a Type I MSW Landfill, TCEQ Permit No. MSW-948A (Site 948A). The existing landfill (Site 948A) was initially permitted under MSW Permit No. 948 on July 22, 1977, and subsequently a permit amendment was approved for MSW Permit 948A on September 21, 1987. While Site 948A is the only landfill that the City has operated in the last 10 years, the City previously operated the following MSW landfills, which have been closed in accordance with TCEQ requirements:

- City of Waco Closed Landfill, Permit No. 1419 issued on September 3 1981, located on FM 3400 southeast of Waco; stopped accepting waste on June 17, 1986.
- City of Waco Closed Landfill, Permit No. 1039 issued on July 22, 1977, located on FM 3400 southeast of Waco; stopped receiving waste on June 24, 1983.

The competency of the City of Waco to manage the closed landfill is evidenced by the City's operating history, over 20 years of operating Site 948A and prior closed sites in previous periods. The City of Waco has no financial interest in any solid waste facilities in any other states, territories, or countries.

As with Site 948A, the closed landfill will be managed within the City's Solid Waste Department. Key personnel include the Director of Solid Waste and Landfill Manager both of which have experience in operation and maintenance of MSW landfills and maintain a TCEQ MSW Class "A" license.