



Bowie County

Tina Petty, County Clerk
710 James Bowie Drive
New Boston, Texas 75570
(903) 628-6740

Receipt: 19-11414

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Product	Name	Extended
AFFD	AFFIDAVIT	\$70.00
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Thank You

**Texas Risk Reduction Program
Deed Notice**

STATE OF TEXAS §
 §
COUNTY OF BOWIE §

This Notice is filed to provide information concerning certain environmental conditions and/or use limitations pursuant to the Texas Commission on Environmental Quality (TCEQ) Texas Risk Reduction Program Rule (TRRP) found at 30 Texas Administrative Code (TAC), Chapter 350, and affects the real property described as follows:

See Exhibit A, attached hereto and incorporated herein by reference, which identifies on the plat map the location of the Affected Property to which the land use control applies, described thereon as Load Line B and a limited portion of Load Line B and a limited area adjacent to Load Line B and associated with rail line extending out from Load Line B due to Munitions Debris (MD)¹.

Portions of the soils of the property may contain MD causing those portions of the property to require Land Use Controls (LUCs) as described below. The portion considered to be Affected Property requiring LUCs is described as follows:

See Exhibit B, attached hereto and incorporated herein by reference for the metes and bounds description of the Affected Property.

This Notice is required for the following reasons:

Possible Munitions Debris

Area B is also referred to as Load Line B because loading, assembly, and packing of munitions was conducted at the site. The area is located in the northwestern portion of the original LSAAP footprint near the intersection of Oak Street and Cass Street.

Load Line B consists of two separate areas: the main production area and the boiler house. The main production area occupies 156.5 acres. The boiler house is located east of the main area and occupies 3.5 acres. Each of the maintained industrial areas comprising Load Line B is surrounded by a security fence in a densely wooded area. Load Line B is occupied by buildings, railroad lines, asphalt and gravel drive/parking areas, walkways, manufacturing or process areas, and utility lines.

Munitions Debris (MD) was discovered near the railroad line north of Load Line B with an area of 1.5 acres. MD items in this area were due to inadvertent release from rail shipments. In addition, MD items were discovered in an open grassed area on the western portion of Load Line B with an area of 0.53 acres. MD items in this area are attributed to historical operations within the load line. All MD found was determined to be Material Documented as Safe (MDAS).

The LUCs are:

¹ The term "MD" means remnants of munitions (e.g. fragments, penetrators, projectiles, shell casings, links, fins) remaining after munitions use, demilitarization, or disposal. (DoD 6055.09, Volume 8)

1) Use of the Affected Property is limited to industrial/commercial uses as defined in TRRP. The Affected Property is prohibited from being developed and/or used for residential purposes, including but not limited to single family or multi-family residences; childcare facilities; nursing home or assisted living facilities; and any type of education purpose for children/young adults in grades kindergarten through grade 12.

2) Prior to the performance by any person or entity including but not limited to owners, lessees, contractors, inspectors, appraisers and utility providers, of any excavation or intrusive activity on the Affected Property described in Exhibit B, a notice and acknowledgment in the form attached hereto as Exhibit C from TexAmericas Center, with the address of 107 Chapel Lane, New Boston, TX 75570 ("TAC"), must be executed by that person or entity and filed with TAC. TAC shall retain copies of all such notice and acknowledgments received hereunder.

3) The LUC restricting land use to nonresidential will remain in place until TAC or any subsequent transferee demonstrates to TCEQ that risks associated with MD on the Affected Property no longer present a threat to public safety. The LUC restricting intrusive activity will remain in place until TAC or any subsequent transferee takes the actions as may be approved by TCEQ necessary to protect workers and the public from explosives hazards associated with the proposed intrusive activities upon the Affected Property. Based on the reports, no further remediation of the Affected Property is required by the TCEQ as long as the Affected Property is not to be used for residential purposes as the property may not be protective for residential use. If any person desires in the future to use the Affected Property for residential purposes, the TCEQ must be notified at least 60 days in advance of such use and additional response actions may be necessary before the property may be used for residential purposes. Persons contemplating a change in land use for the Affected Property are encouraged to review the definitions for commercial/industrial and residential land use contained in TRRP as the definition of residential land use is broad.

4) For any MD found, the 9-1-1 process must be used. Local law enforcement should contact the 20th Chemical, Biological, Radiological, Nuclear, and Explosives (CBRNE) Command Emergency Operations Center, (410) 436-6200 for emergency explosive ordnance disposal response. Department of Defense explosive disposal personnel will be dispatched to address such MD.

5) If any MD is observed on the Affected Property, TAC, the US Army, and TCEQ must be contacted at the following addresses:

TAC:
TexAmericas Center
Attn: Executive Director/CEO
107 Chapel Lane
New Boston, TX 75570

Army:
Office of the Assistant Chief of Staff for Installation Management
DAIM-ODB, Reserve, Industrial & Medical Branch
Base Realignment and Closure Division
Room 5000 Taylor Bldg/NC3
2530 Crystal Drive

Arlington, VA 22202

TCEQ:
TCEQ - MC 199
Central Records P O Box 13087
12100 Park 35 Circle
Building E
Austin, Texas 78753

6) Upon transfer of the Affected Property, the new owner shall notify the TCEQ within 30 days at the address below of the change of ownership.

As of the date of this Notice, the record owner of fee title to the Affected Property is TexAmericas Center with an address of 107 Chapel Lane, New Boston, TX 75570.

For additional information, contact:

TCEQ Mail: TCEQ - MC 199
Central Records P O Box 13087
12100 Park 35 Circle
Building E
Austin, Texas 78753

TCEQ Program and Identifier No.: 30991

This Notice may be rendered of no further force or effect only by a superseding deed notice executed by the TCEQ or its successor agencies and filed in the same Real Property Records as those in which this Deed Notice is filed.

Executed this 24th day of October, 2019.

[OWNER or RESPONDER]

By: Scott Norton
Name: Scott Norton
Title: Executive Director/CEO

STATE OF TEXAS

BOWIE COUNTY

BEFORE ME, on this the 24 day of Oct, personally appeared
Scott Norton, of Tex America Center known to me to be the
Name Title Company

person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24 day of
Oct 2019.

Notary Public in and for the State of Texas

County of Bowie

My Commission Expires: 04-28-2021

Virginia Elaine Strohm

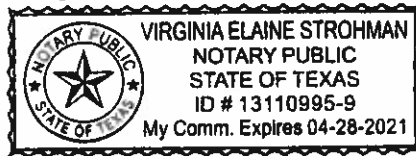
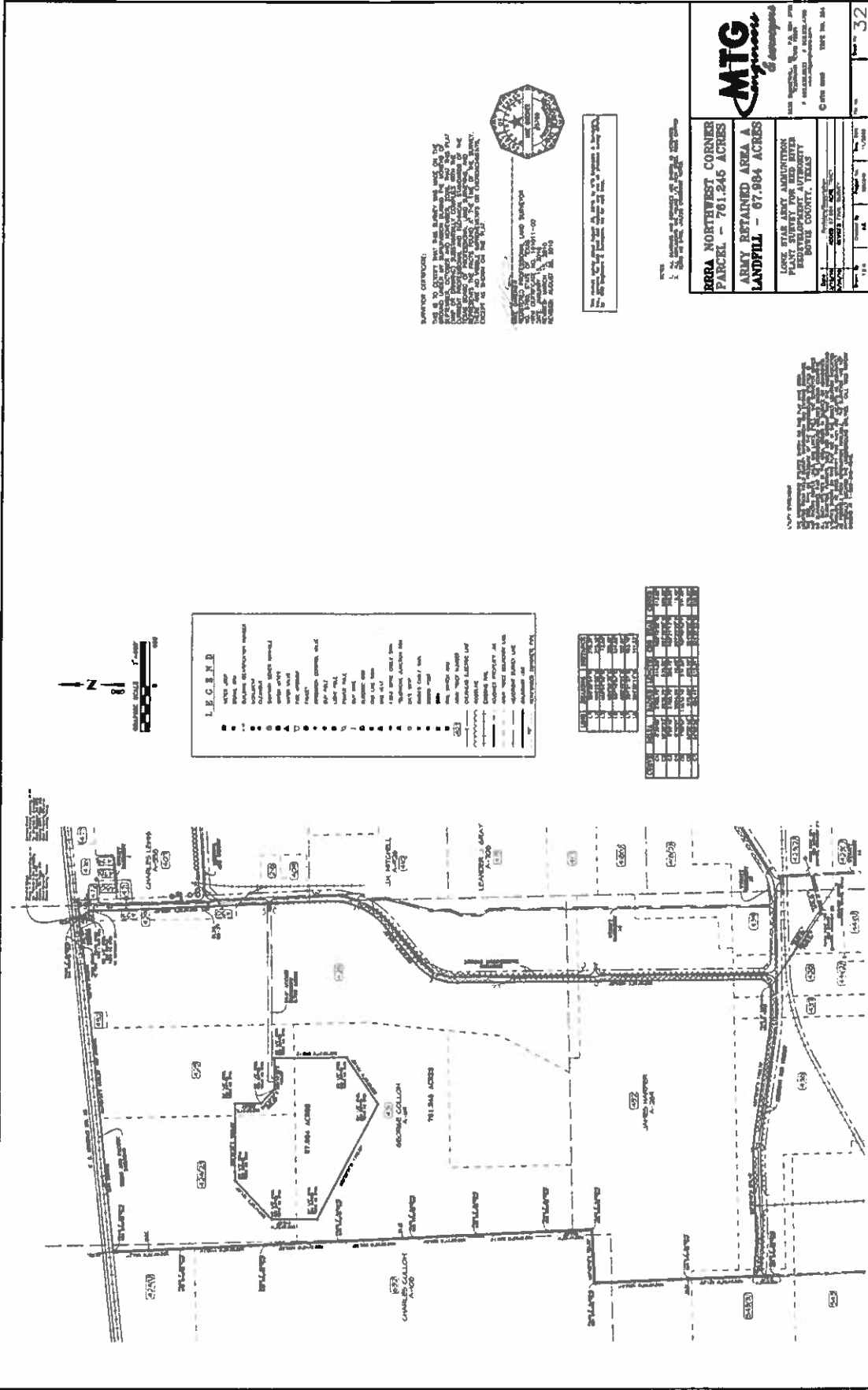


EXHIBIT A

**Former Lone Star Army Ammunition Plant
Site Location Map Load Line B Deed Notice**



LEGEND

- 10' DIA. AIR
- 12' DIA. AIR
- 14' DIA. AIR
- 16' DIA. AIR
- 18' DIA. AIR
- 20' DIA. AIR
- 22' DIA. AIR
- 24' DIA. AIR
- 26' DIA. AIR
- 28' DIA. AIR
- 30' DIA. AIR
- 32' DIA. AIR
- 34' DIA. AIR
- 36' DIA. AIR
- 38' DIA. AIR
- 40' DIA. AIR
- 42' DIA. AIR
- 44' DIA. AIR
- 46' DIA. AIR
- 48' DIA. AIR
- 50' DIA. AIR
- 52' DIA. AIR
- 54' DIA. AIR
- 56' DIA. AIR
- 58' DIA. AIR
- 60' DIA. AIR
- 62' DIA. AIR
- 64' DIA. AIR
- 66' DIA. AIR
- 68' DIA. AIR
- 70' DIA. AIR
- 72' DIA. AIR
- 74' DIA. AIR
- 76' DIA. AIR
- 78' DIA. AIR
- 80' DIA. AIR
- 82' DIA. AIR
- 84' DIA. AIR
- 86' DIA. AIR
- 88' DIA. AIR
- 90' DIA. AIR
- 92' DIA. AIR
- 94' DIA. AIR
- 96' DIA. AIR
- 98' DIA. AIR
- 100' DIA. AIR

UTM	EASTING	NORTHING	ZONE
18	500000	1000000	18N
19	500000	1000000	19N
20	500000	1000000	20N
21	500000	1000000	21N
22	500000	1000000	22N
23	500000	1000000	23N
24	500000	1000000	24N
25	500000	1000000	25N
26	500000	1000000	26N
27	500000	1000000	27N
28	500000	1000000	28N
29	500000	1000000	29N
30	500000	1000000	30N
31	500000	1000000	31N
32	500000	1000000	32N
33	500000	1000000	33N
34	500000	1000000	34N
35	500000	1000000	35N
36	500000	1000000	36N
37	500000	1000000	37N
38	500000	1000000	38N
39	500000	1000000	39N
40	500000	1000000	40N

THIS IS TO CERTIFY THAT THE SURVEY WAS MADE ON THE 15th DAY OF APRIL 1968 AT THE LOCATION OF THE SURVEY POINTS SHOWN ON THIS PLAN. THE SURVEY WAS MADE BY THE U.S. ARMY ENGINEERING CENTER, FORT BELLEVILLE, ILLINOIS. THE SURVEY WAS MADE IN ACCORDANCE WITH THE U.S. ARMY SURVEYING REGULATIONS, 1956 EDITION, AND THE U.S. ARMY SURVEYING MANUAL, 1964 EDITION. THE SURVEY WAS MADE BY THE U.S. ARMY ENGINEERING CENTER, FORT BELLEVILLE, ILLINOIS. THE SURVEY WAS MADE IN ACCORDANCE WITH THE U.S. ARMY SURVEYING REGULATIONS, 1956 EDITION, AND THE U.S. ARMY SURVEYING MANUAL, 1964 EDITION.



MTG
Military Topographic Group

ERRA NORTHWEST CORNER PARCEL - 761.246 ACRES
ARMY RETAINED AREA A LANDFILL - 87.984 ACRES

LANCE STAR ARMY AMMUNITION PROJECT OFFICE, 1000 EAST 10TH STREET, FORT BELLEVILLE, ILLINOIS 62209

DATE: 11/11/68
BY: [Signature]
CHECKED: [Signature]
SCALE: AS SHOWN

UTM ZONE: 18N
EASTING: 500000
NORTHING: 1000000

Sheet No. 32

EXHIBIT B

Former Lone Star Army Ammunition Plant Meets and Bounds of Affected Property

GEORGE COLLUM SURVEY A-119 BOWIE COUNTY, TEXAS

MUNITIONS RESPONSE SITE - 0.53 ACRES

ALL THAT CERTAIN 0.53 ACRE TRACT OF LAND IN THE GEORGE COLLUM SURVEY, A-119, IN BOWIE COUNTY, TEXAS, BEING PART THE CALLED 2123.097 ACRE TRACT OF LAND AND KNOWN AS TRACT 3 THEREIN CONVEYED FROM THE UNITED STATES OF AMERICA TO RED RIVER REDEVELOPMENT AUTHORITY BY DEED WITHOUT WARRANTY DATED SEPTEMBER 1, 2010 AND RECORDED IN VOLUME 5888, PAGE 1, OF THE DEED RECORDS OF BOWIE COUNTY, TEXAS, SAID 0.53 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET EAST OF A GRAVEL ROAD FOR THE SOUTHWEST CORNER OF THIS TRACT, SAID 5/8" IRON ROD SET HAVING THE COORDINATES OF N: 7235932.92 AND E: 3252041.69, FROM WHICH A 1/2" IRON ROD FOUND BEARS N 34°42'23" W 1201.26 FEET, FROM WHICH A TYPE I RIGHT OF WAY MARKER FOUND FOR CONTROL MONUMENT NO. 1 BEARS S 53°21'23" E 27458.07 FEET, AND A TYPE I RIGHT OF WAY MARKER FOUND FOR CONTROL MONUMENT NO. 2 BEARS S 48°39'48" E 25879.20 FEET.

THENCE: N 03°11'01" E GENERALLY ALONG SAID GRAVEL ROAD 229.96 FEET TO A 5/8" IRON ROD SET FOR THE NORTHWEST CORNER OF THIS TRACT;

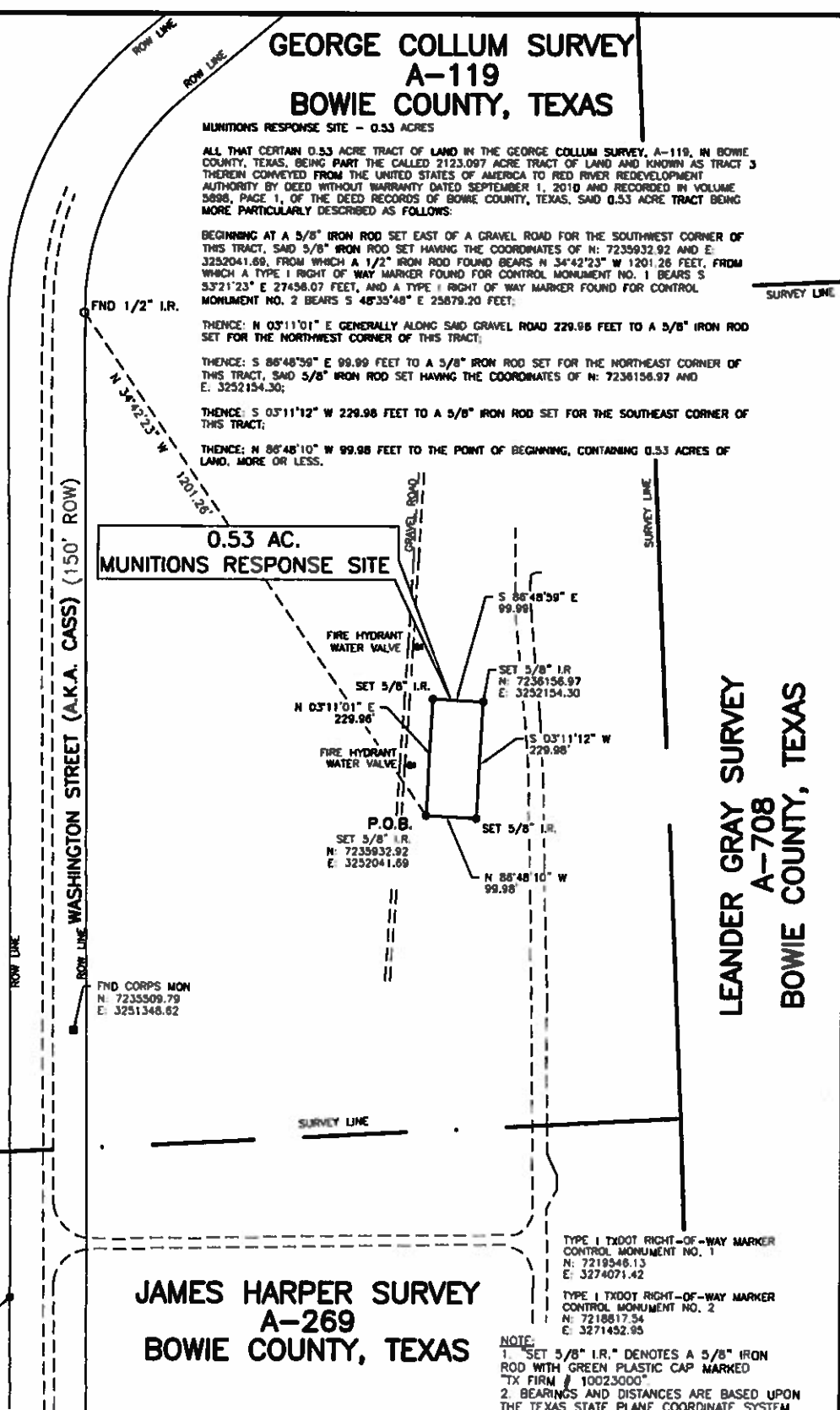
THENCE: S 86°48'59" E 99.99 FEET TO A 5/8" IRON ROD SET FOR THE NORTHEAST CORNER OF THIS TRACT, SAID 5/8" IRON ROD SET HAVING THE COORDINATES OF N: 7236156.97 AND E: 3252154.30;

THENCE: S 03°11'12" W 229.98 FEET TO A 5/8" IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE: N 86°48'10" W 99.98 FEET TO THE POINT OF BEGINNING, CONTAINING 0.53 ACRES OF LAND, MORE OR LESS.

Scale: 1"=200'

0.53 AC.
MUNITIONS RESPONSE SITE



LEANDER GRAY SURVEY
A-708
BOWIE COUNTY, TEXAS

JAMES HARPER SURVEY
A-269
BOWIE COUNTY, TEXAS

TYPE I TXDOT RIGHT-OF-WAY MARKER
CONTROL MONUMENT NO. 1
N: 7218548.13
E: 3274071.42

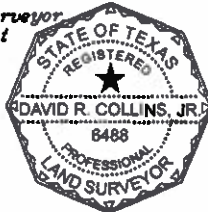
TYPE I TXDOT RIGHT-OF-WAY MARKER
CONTROL MONUMENT NO. 2
N: 7218817.34
E: 3271432.95

NOTE:
1. "SET 5/8" I.R." DENOTES A 5/8" IRON ROD WITH GREEN PLASTIC CAP MARKED "TX FIRM # 10023000"
2. BEARINGS AND DISTANCES ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM NORTH CENTRAL ZONE (4202), 1983 NORTH AMERICAN DATUM.

I, David R. Collins, Jr., Reg. Professional Land Surveyor do hereby certify that this Plat is true and correct according to a survey made upon the ground April 5, 2019.

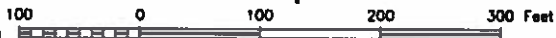
David R. Collins, Jr.
Firm License #10028000

R.P.L.S. #6488



DAY & ZIMMERMAN
LONE STAR MUNITIONS PLANT
Highway 82 West
Texarkana, Texas 75505
Collins Surveying & Mapping, Inc.
910 Judson Road
Longview, Texas 75601
Phone: (903) 234-8051
Job Number: DZ4970

**CHARLES LEWIS SURVEY
A-338
BOWIE COUNTY, TEXAS**



Scale: 1"=100'

**GEORGE COLLUM SURVEY
A-119
BOWIE COUNTY, TEXAS**



I, David R. Collins, Jr., Reg. Professional Land Surveyor, do hereby certify that this Plat is true and correct according to a survey made upon the ground April 5, 2019.

David R. Collins, Jr.
Firm License #10023000

R.P.L.S. #6488

TYPE I TXDOT RIGHT-OF-WAY MARKER
CONTROL MONUMENT NO. 1
N: 7219546.13
E: 3274071.42

TYPE I TXDOT RIGHT-OF-WAY MARKER
CONTROL MONUMENT NO. 2
N: 7218817.54
E: 3271452.95

FOURTH STREET (A.K.A. OAK)

WASHINGTON STREET (A.K.A. CASS)

1.50 AC.
MUNITIONS
RESPONSE SITE

TRACT 3
CALLED 2123.097 AC.
RED RIVER REDEVELOPMENT AUTHORITY
VOL. 5898, PG. 1

MUNITIONS RESPONSE SITE - 1.50 ACRES

ALL THAT CERTAIN 1.50 ACRE TRACT OF LAND IN THE CHARLES LEWIS SURVEY, A-338, IN BOWIE COUNTY, TEXAS, BEING PART OF THE CALLED 2123.097 ACRE TRACT OF LAND AND KNOWN AS TRACT 3 THEREIN CONVEYED FROM THE UNITED STATES OF AMERICA TO RED RIVER REDEVELOPMENT AUTHORITY BY DEED WITHOUT WARRANTY DATED SEPTEMBER 1, 2010 AND RECORDED IN VOLUME 5898, PAGE 1, OF THE DEED RECORDS OF BOWIE COUNTY, TEXAS, SAID 1.50 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET IN THE EAST RIGHT OF WAY LINE OF WASHINGTON STREET, ALSO KNOWN AS CASS FOR THE SOUTHWEST CORNER OF THIS TRACT, SAID 5/8" IRON ROD SET HAVING THE COORDINATES OF N: 7239746.62 AND E: 3252408.57, FROM WHICH A 1/2" IRON ROD FOUND BEARS S 02°30'28" E 1079.33 FEET, A TYPE I RIGHT OF WAY MARKER FOUND FOR CONTROL MONUMENT NO. 1 BEARS S 47°00'02" E 29619.90 FEET, AND A TYPE I RIGHT OF WAY MARKER FOUND FOR CONTROL MONUMENT NO. 2 BEARS S 42°18'02" E 28296.90 FEET,

THENCE: N 02°30'28" W WITH SAID RIGHT OF WAY LINE 352.17 FEET TO A 5/8" IRON ROD SET FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH A 1/2" IRON ROD FOUND BEARS N 02°30'28" W 41.13 FEET,

THENCE: N 83°15'58" E 211.41 FEET TO A 5/8" IRON ROD SET FOR THE NORTHEAST CORNER OF THIS TRACT, SAID 5/8" IRON ROD SET HAVING THE COORDINATES OF N: 7240123.24 AND E: 3252803.12;

THENCE: S 06°52'13" W 381.63 FEET TO A 5/8" IRON ROD SET FOR THE SOUTHEAST CORNER OF THIS TRACT,

THENCE: N 89°07'32" W 148.91 FEET TO THE POINT OF BEGINNING, CONTAINING 1.50 ACRES OF LAND, MORE OR LESS.

DAY & ZIMMERMAN
LONE STAR MUNITIONS PLANT
Highway 82 West
Tezarkana, Texas 75505
Collins Surveying & Mapping, Inc.
910 Judson Road
Longview, Texas 75601
Phone: (903) 234-8051
Job Number: D24970

EXHIBIT "C"
NOTICE AND ACKNOWLEDGEMENT OF LAND USE CONTROLS
2.0 ACRES, J.H. MITCHELL HEADRIGHT SURVEY, A-926, BOWIE COUNTY, TEXAS

Notice is hereby given that areas of Load Line B with an approximate acreage of 0.53 acres and one tract north of Load Line B with an approximate acreage of 1.5 acres of the former Lone Star Army Ammunition Plant in Bowie County, Texas, is subject to the terms of that certain Texas Risk Reduction Program Deed Notice dated the 29 day of October, 2019, and filed for record as Document No. 2019-00011249 in the Office of the County Clerk of Bowie County, Texas.

Notice is also given that the two tracts totaling approximately 2.03 acres were the sites where Munitions Debris (MD) were discovered in the railroad line north of Load Line B with an area of approximately 1.5 acres and in an open area on the western portion of Load Line B with an area of 0.53 acres. MD items in the area of the rail road line north of Load Line B were due to inadvertent release from rail shipments. In addition, MD items were discovered in an open area in the western portion of Load Line B with an area of 0.53 acres. MD items in this area are attributed to historical operations within the load line. All MD found was determined to be Material Documented as Safe (MDAS).

Pursuant to the terms of the Texas Risk Reduction Program Deed Notice, land use controls have been placed upon said Load Line B with acreage of 0.53 acres and the limited 1.5 acres north of Load Line B (the Affected Property). Those land use controls are as follows:

- 1) Use of the Affected Property is limited to industrial/commercial uses as defined in TRRP. The Property is prohibited from being developed and/or used for residential purposes, including but not limited to single family or multi-family residences; childcare facilities; nursing home or assisted living facilities; and any type of education purpose for children/young adults in grades kindergarten through grade 12.
- 2) Prior to the performance by any person or entity including but not limited to owners, lessees, contractors, inspectors, appraisers and utility providers of any excavation or intrusive activity on the Affected Property, this Notice and Acknowledgment of Land Use Controls must be executed by that person or entity and filed with TAC at 107 Chapel Lane, New Boston, Texas 75570. TAC shall retain copies of all such notice and acknowledgments received.
- 3) These LUCs will remain in place until the current land holding agency or any subsequent transferee takes the actions as may be approved by the Texas Commission on Environmental Quality (TCEQ) necessary to protect workers and the public from explosives hazards associated with the proposed intrusive activities upon the Affected Property. Based on the reports, no further remediation of the Affected Property is required by the TCEQ as long as the Affected Property is not to be used for residential

purposes as the property may not be protective for residential use. If any person desires in the future to use the Affected Property for residential purposes, the TCEQ must be notified at least 60 days in advance of such use and additional response actions may be necessary before the property may be used for residential purposes. Persons contemplating a change in land use for the Affected Property are encouraged to review the definitions for commercial/industrial and residential land use contained in TRRP as the definition of residential land use is broad.

4) For any MD found, the 9-1-1 process must be used. Local law enforcement should contact the 20th Chemical, Biological, Radiological, Nuclear, and Explosives (CBRNE) Command Emergency Operations Center. Department of Defense explosive personnel will be dispatched to address such MD.

5) If any MD is observed on the Affected Property, the US Army, TAC, and TCEQ must be contacted at the following addresses:

TAC:

TexAmericas Center
Attn: Executive Director/CEO
107 Chapel Lane
New Boston, TX 75570

ARMY:

Office of the Assistant Chief of Staff for Installation Management
DAIM-ODB, Reserve, Industrial & Medical Branch
Base Realignment and Closure Division
Room 5000 Taylor Bldg/NC3
2530 Crystal Drive
Arlington, VA 22202

TCEQ:

TCEQ Mail: TCEQ-MC199
Central Records
P.O. Box 13087
12100 Park 35 Circle, Bldg. E
Austin, Texas 78711-3087

6) Upon transfer of the Affected Property, the new owner shall notify the TCEQ within 30 days at the address above of the change of ownership.

As a person, or entity, having expressed an interest in going upon the Affected Property, performing intrusive activities on the Affected Property, leasing the Affected Property, and/or agreeing to purchase the Affected Property, the undersigned acknowledges receipt of a copy of

this Notice and acknowledges that he/she/it has read this Notice and agrees to be bound by the terms of the said Notice and to strictly comply with the requirements of the Notice.

Additionally, the undersigned acknowledges receipt of the Explosives Safety Awareness information provided by the U.S. Department of the Army and delivered to the undersigned by TexAmericas Center on this date.

The undersigned further agrees that in the event the undersigned fails or refuses to comply with the requirements of the Texas Risk Reduction Program Deed Notice and/or this document, the undersigned, its successors and assigns, covenant and agree to indemnify and hold harmless TexAmericas Center, its officers, agents and employees from (1) any and all claims, damages, judgments, loss and costs, including investigation, removal, remediation costs, fines and penalties, and claims for personal injury and property damage by the undersigned, its officers, agents, and employees, and (2) together with such claims and damages for personal injury and/or property damage asserted by third parties arising out of the actions, or inactions of the undersigned, its successors and assigns, or arising out of the failure or refusal of the undersigned to comply with the requirements of this document.

This Notice is given by TexAmericas Center, 107 Chapel Lane, New Boston, Bowie County, Texas, 75570 on this the ___ day of _____, 20__.

The undersigned acknowledges receipt of, and reading of, this Notice and Acknowledgment document, including, without limitation, the above-referenced Explosives Safety Awareness information, and agrees to be bound by the terms thereof. The undersigned further acknowledges that but for its receipt, reading and execution of this document, it would not be allowed upon the Affected Property, to perform intrusive activities on the Affected Property, to lease the Affected Property, or to contract to purchase the Affected Property.

By: _____
Name: _____
Title: _____
Date: _____

**THE STATE OF TEXAS
COUNTY OF BOWIE**

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Bowie County, Texas.

2019-00011249 AFFD
10/24/2019 04:19:43 PM Total Fees: \$70.00

Tina Petty, County Clerk
Bowie County, Texas

