



AGENDA PLACEMENT FORM

(Submission Deadline – Monday, 5:00 PM before Regular Court Meetings)

Date: 08/21/2023

COMMISSIONERS COURT

Meeting Date: 08/28/2023

AUG 28 2023

Submitted By: Jennifer VanderLaan

Department/Office: Public Works

Approved

Signature of Director/Official: _____

Agenda Title:

Stormwater Facility Maintenance Agreement for Turkey Creek Landfill

Public Description (Description should be 2-4 sentences explaining to the Court and the public what action is recommended and why it is necessary):

Consideration of Stormwater Facility Maintenance Agreement between IESI TX Landfill, LP, and Johnson County

(May attach additional sheets if necessary)

Person to Present: Jennifer VanderLaan

(Presenter must be present for the item unless the item is on the Consent Agenda)

Supporting Documentation: (check one) PUBLIC CONFIDENTIAL

(PUBLIC documentation may be made available to the public prior to the Meeting)

Estimated Length of Presentation: 10 minutes

Session Requested: Action Item (Action Item, Workshop, Consent, Executive)

Check All Departments That Have Been Notified:

County Attorney IT Purchasing Auditor

Personnel Public Works Facilities Management

Other Department/Official (list) Engineering

Please Inter-Office All Original Documents to County Judge’s Office Prior to Deadline & List All External Persons Who Need a Copy of Signed Documents In Your Submission Email

STORMWATER FACILITY
MAINTENANCE AGREEMENT
STORMWATER DETENTION
PONDS

THIS AGREEMENT, made and entered into this day of August 28,
2023, by and between IESI TX Landfill, LP, acting by
and through Texas Regional Landfill Company, LP, hereinafter referred to as
“Landowner”, and Johnson County, hereinafter referred to as “County”.

WITNESETH

WHEREAS, the Landowner is the owner of certain real property described as an Approximately 219.6-acre tract located in the D S Henderson Survey, Abstract 334, Johnson County, Texas according to the deeds recorded in the Official Public Records of Johnson County and included in Exhibit A herein after called the “Property”.

WHEREAS, the Landowner is proceeding to build on and develop the Property according to the Conditional Letter of Map Revision development plan hereinafter called the “Plan”, which is expressly made a part hereof, as approved or to be approved by the County and the Landowner provides for management of Stormwater within the confines of the Property; and

WHEREAS, this Agreement shall run with the land and apply to the Landowner, its successors and assigns. The term “Landowner” shall refer to the then-current legal owner of the Property and/or the Facility as same are herein defined; and WHEREAS, the Landowner has determined that on-site Stormwater Detention Ponds to control floodplain management and discharges (“Facility”) should be constructed and maintained on a portion of the Property; and

WHEREAS, the County requires that the Facility, whether one or more, as shown on the Plan be constructed and adequately maintained by the Landowner the locations of which are as shown in the attached Exhibit “A” (“Facility Property”); NOW, THEREFORE, in consideration of t he foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The Landowner shall adequately construct and maintain the Facility at no expense to the County in accordance with the design specifications for the Facility, attached as Exhibit “A”, and the current standards then in force and effect in the County and with the Operations and Maintenance Plan attached to this Agreement as Exhibit “B”. The Facility includes all structures required to manage floodplain elevations and discharges from the Property. Adequate maintenance is herein defined as good working condition so that these facilities are performing their designed functions.
2. If the Landowner contracts the maintenance of the Facility with a third-party, Landowner shall provide a copy of the contract to the County at the time this Agreement is executed. It shall be the Landowner’s responsibility to ensure that the contracting party is properly qualified to maintain the Facility and to provide any updates to the contract as a part of the annual inspection report discussed immediately below.
3. The Landowner shall inspect or shall cause to be inspected the Facility at frequency specified by the manufacturer or annually, and shall be compiled and submitted to the County annually. The purpose of the inspection is to assure safe and proper functioning of the Facility. The inspection shall cover the entire Facility. Components of the Facility which need maintenance or replacement to perform their design function, shall be noted in the inspection report along with the corrective actions to be taken. The corrections identified in the inspection report must be corrected within 45 days, and corrections once made shall be so noted in the next inspection form.
4. The Landowner hereby grants permission to the County, its authorized agents and employees, to enter upon the Property to inspect the Facility whenever the County deems necessary. The inspection may involve follow-up on reported deficiencies and/or to respond to citizen complaints. The County shall provide the Landowner copies of the inspection findings and a directive to commence with maintenance and repairs if necessary.
5. In the event the Landowner fails to maintain the Facility as specified herein,

the County, its authorized agents and employees, may enter upon the Facility Property and take whatever steps necessary to correct deficiencies identified in the inspection report to protect public health, safety and welfare and to charge the costs of such maintenance and repairs to the Landowner. **It is expressly understood and agreed that the County is under no obligation to routinely maintain or repair the Facility, and in no event shall this Agreement be construed to impose any such obligation on the County. Such obligation is the Landowner's.**

6. The Landowner will perform the work necessary to keep the Facility in good working order as appropriate. In the event the County pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the County upon demand, within thirty (30) days of receipt thereof, for all actual costs incurred by the County hereunder. In the event that Landowner fails to pay the County for the costs incurred under this section, the County shall impress a lien for the costs of such work upon other lots owned by the Landowner. Such lien shall be perfected by filing in the office of the County Clerk of the county in which the Facility lies, an affidavit identifying the real property to be charged with such lien, stating the amount thereof, and making reference to this Agreement.
7. This Agreement imposes no liability of any kind whatsoever on the County. **THE LANDOWNER AGREES TO HOLD THE COUNTY HARMLESS FROM ANY LIABILITY IN THE EVENT THE FACILITY FAILS TO OPERATE PROPERLY. LANDOWNER COVENANTS AND AGREES AND DOES HEREBY INDEMNIFY, HOLD HARMLESS AND DEFEND THE COUNTY, ITS AGENTS, SERVANTS AND EMPLOYEES FROM AND AGAINST ALL COSTS, EXPENSES, LOSSES, DAMAGES, CLAIMS OR CAUSES OF ACTION WHATSOEVER ARISING, OR WHICH MIGHT ARISE, FROM THE FAILURE OF LANDOWNER TO: PROPERLY INSTALL, MAINTAIN AND REPAIR THE FACILITY, OR ANY DAMAGES CAUSED TO PERSON OR PROPERTY DUE TO (1) FLOODING ATTRIBUTED TO THE FACILITY, OR (2) IMPROPER**

INSTALLATION, MAINTENANCE AND REPAIR OF THE FACILITY.

8. Landowner covenants and agrees that no habitable building shall be erected within the flood control easement outlined on Exhibit “A” but this paragraph shall not preclude construction of other improvements within the flood control easement, which do not impede access to the Facility. This Agreement shall be recorded among the land records of Johnson County, Texas, shall constitute a covenant running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs and any other successors in interests, including any property owners association.

[SIGNATURE PAGE FOLLOWS]

Executed this 28th day of August 2023.

Landowner

Name: Gary G Bartels

Title: REGION ENGINEER

Notary

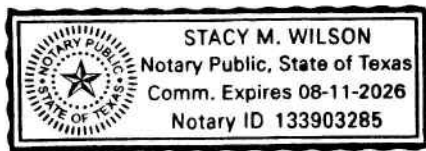
SUBSCRIBED AND SWORN to before me by the said Gary Bartels on this 28th day of August, 2023

Stacy M. Wilson

My commission expires on the 11th day of August, 2026

Notary Public in and for TARRANT County, Texas

Executed this 28th day of August 2023



Executed this 28th day of August 2023

County Judge

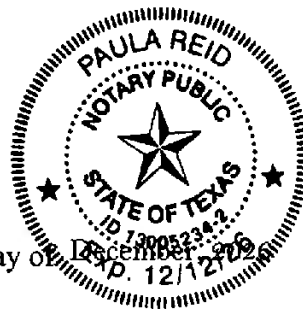


Name: Christopher Boedeker

Title: County Judge, Johnson County

Notary

SUBSCRIBED AND SWORN to before me by the said Christopher Boedeker on this 28th day of August, 2023



My commission expires on the 12th day of December, 2026

Notary Public in and for Johnson County, Texas

Executed this 28th day of August 2023

Executed this 28th day of August 2023

County Clerk

April Long
Name: April Long



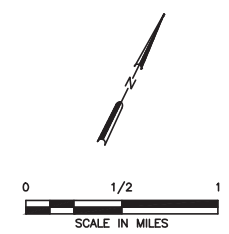
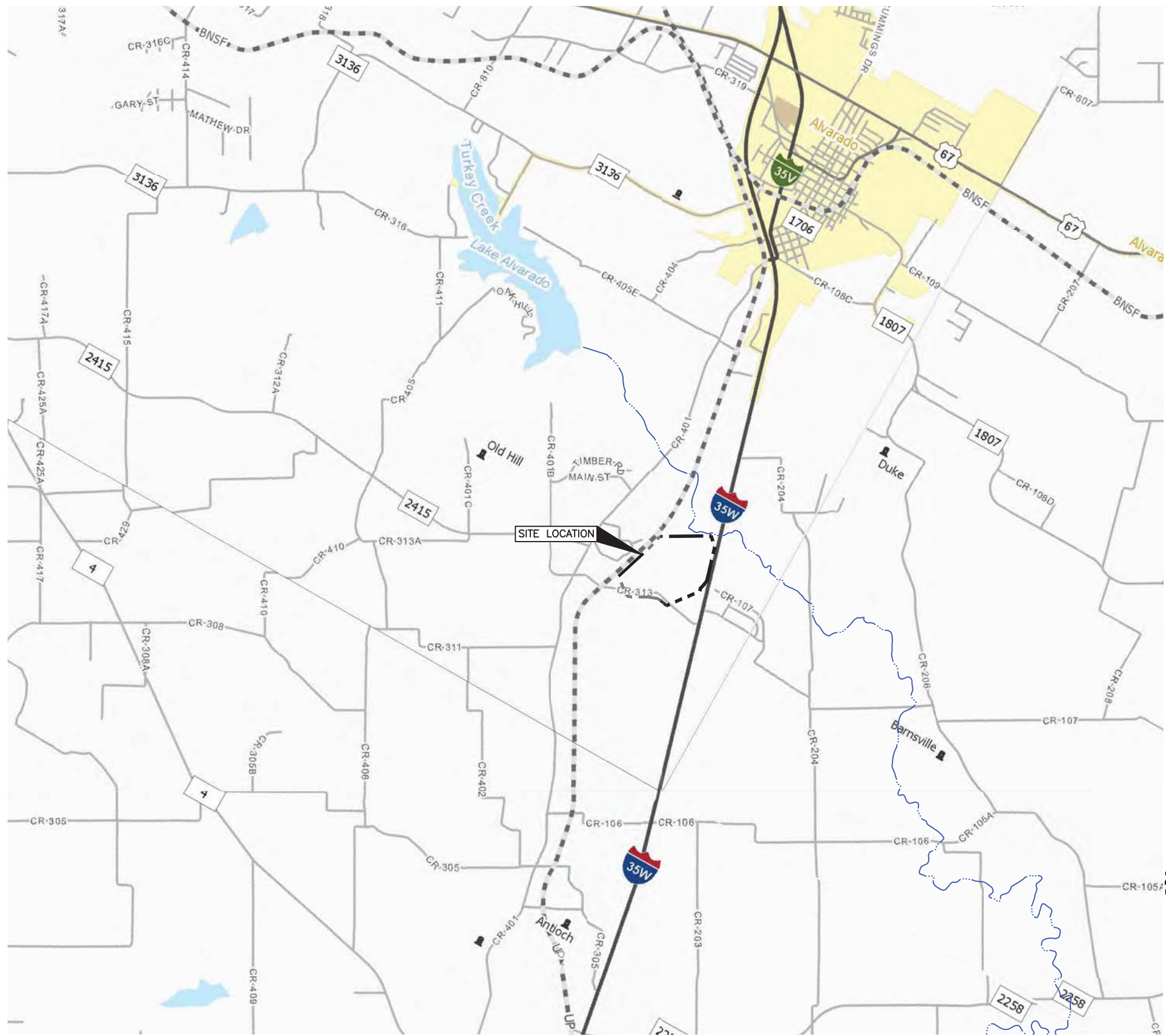
Title: County Clerk, Johnson County

EXHIBIT "A"
DEVELOPMENT PLAN AND
LEGAL DESCRIPTION

Exhibit "B"

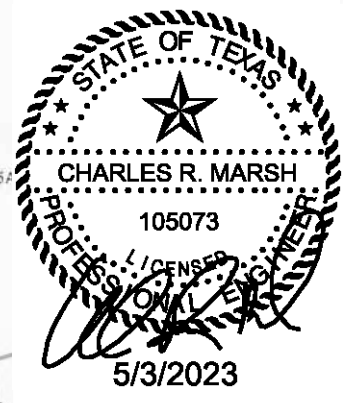
COUNTY STORMWATER FACILITY OPERATION ,
MAINTENANCE & INSPECTION PLAN

Operational and maintenance procedures for the Facility are included in this Exhibit. It is expressly understood and agreed that Johnson County is under no obligation to routinely maintain or repair the Facility, and in no event shall this Agreement be construed to impose any such obligation on the County.



LEGEND
 - - - - - PROPERTY/PERMIT BOUNDARY
 - - - - - CREEK FLOW LINE

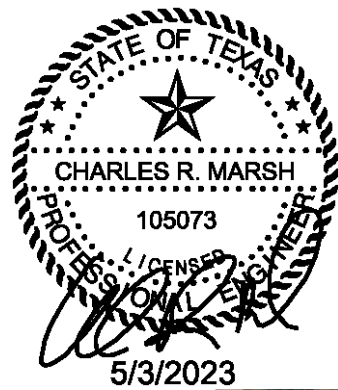
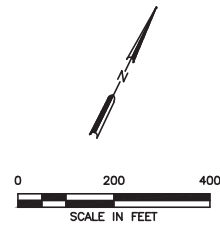
- Unincorporated Community
- ⊛ County Seat
- ⊕ Border Crossing
- ⊠ Cemetery
- ⊠ Cemetery (Inside City)
- ⊕ Deep Draft Port
- ⊕ Shallow Draft Port
- Railroad
- Dam
- River or Stream
- TXDOT District
- Lakes
- Education
- Military
- Airport Runway
- Airport
- Prison
- Parks and Other Public Land



NOTE:
 1. REPRODUCED FROM 2018 TEXAS DEPARTMENT OF TRANSPORTATION COUNTY MAPS, JOHNSON COUNTY.

<input type="checkbox"/> DRAFT <input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY <input type="checkbox"/> ISSUED FOR CONSTRUCTION	PREPARED FOR		TEXAS REGIONAL LANDFILL COMPANY, LP	CLOMR REQUEST SITE LOCATION MAP
	DATE: 02/2022 FILE: 0771-368-11 CAD: 1.1-SITE LOCATION MAP.DWG	DRAWN BY: RAA DESIGN BY: BPY REVIEWED BY: CRM		
Weaver Consultants Group TBPE REGISTRATION NO. F-3727				TURKEY CREEK LANDFILL JOHNSON COUNTY, TEXAS
			WWW.WCGRP.COM	FIGURE 1.1

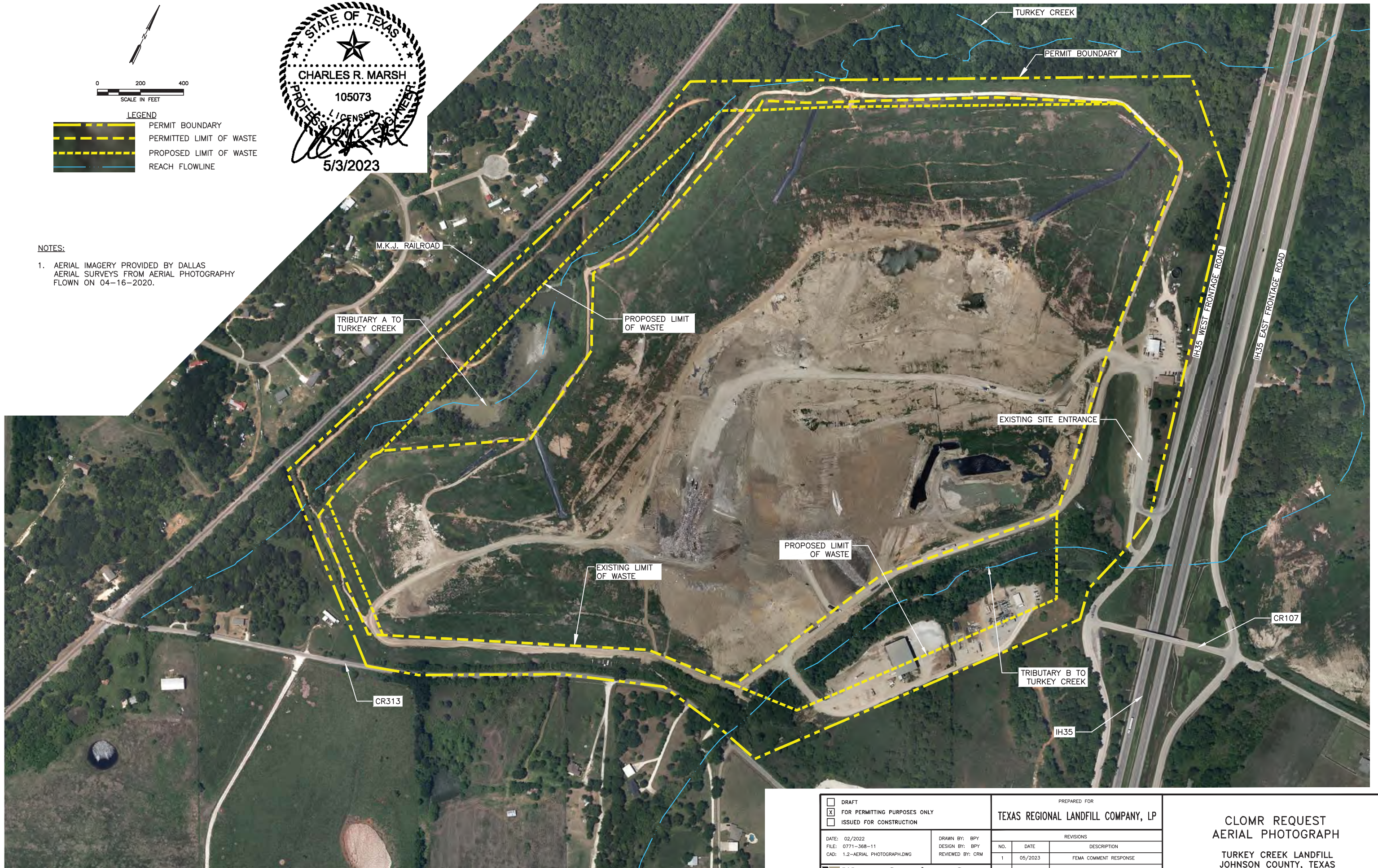
G:\0771\368\EXPANSION 2021\CLOMR\1.1-SITE LOCATION MAP.dwg - byoung, 1:2



LEGEND

	PERMIT BOUNDARY
	PERMITTED LIMIT OF WASTE
	PROPOSED LIMIT OF WASTE
	REACH FLOWLINE

NOTES:
 1. AERIAL IMAGERY PROVIDED BY DALLAS AERIAL SURVEYS FROM AERIAL PHOTOGRAPHY FLOWN ON 04-16-2020.



<input type="checkbox"/> DRAFT	PREPARED FOR	TEXAS REGIONAL LANDFILL COMPANY, LP									
<input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY											
<input type="checkbox"/> ISSUED FOR CONSTRUCTION											
DATE: 02/2022	DRAWN BY: BPY	<table border="1"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>05/2023</td> <td>FEMA COMMENT RESPONSE</td> </tr> </tbody> </table>	REVISIONS			NO.	DATE	DESCRIPTION	1	05/2023	FEMA COMMENT RESPONSE
REVISIONS											
NO.	DATE		DESCRIPTION								
1	05/2023	FEMA COMMENT RESPONSE									
FILE: 0771-368-11	DESIGN BY: BPY										
CAD: 1.2-AERIAL PHOTOGRAPH.DWG	REVIEWED BY: CRM										

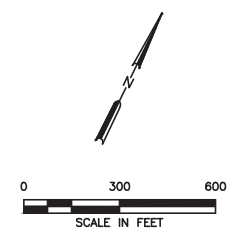
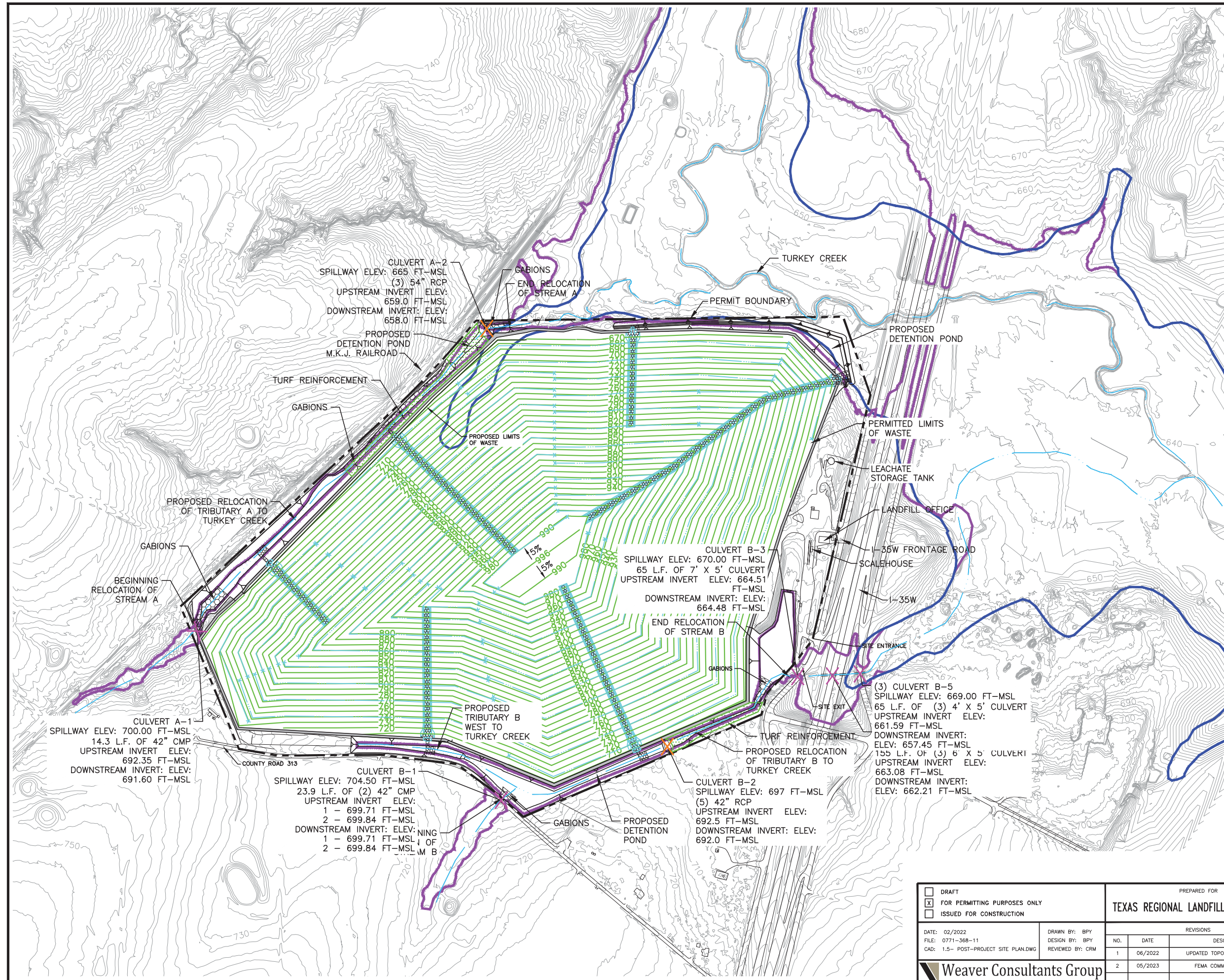
**CLOMR REQUEST
 AERIAL PHOTOGRAPH**

TURKEY CREEK LANDFILL
 JOHNSON COUNTY, TEXAS

WWW.WCGRP.COM **FIGURE 1.2**

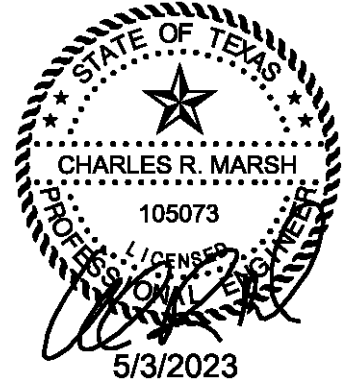
Weaver Consultants Group
 TBPE REGISTRATION NO. F-3727

O:\0771\368\EXPANSION 2021\CLOMR\1.2-AERIAL PHOTOGRAPH.dwg, byoung, 1:2



LEGEND

	PERMIT BOUNDARY
	PERMITTED LIMITS OF WASTE
	PROPOSED LIMITS OF WASTE
	EXISTING CONTOUR (SEE NOTE 1)
	PROPOSED FINAL COVER CONTOUR
	REACH FLOWLINE
	DRAINAGE SWALE
	ZONE A 100-YEAR FLOODPLAIN (SEE NOTE 3)
	POST-PROJECT 100-YEAR FLOODPLAIN
	EXISTING CULVERT
	PROPOSED CULVERT
	GABIONS (SEE NOTE 2)
	TURF REINFORCEMENT MAT (SEE NOTE 2)



- NOTES:**
1. COMPOSITE TOPOGRAPHY PROVIDED BY AERIAL PHOTOGRAPHY BY FIRMATEK FLOWN ON 01-08-2021, AND 2013 LIDAR DATA PROVIDED BY TEXAS NATURAL RESOURCES INFORMATION SYSTEM.
 2. SEE APPENDIX B.3, ATTACHMENT 1 FOR AN EROSION PROTECTION PLAN FOR STREAM A AND B.
 3. ZONE A 100-YEAR FLOODPLAIN REPRODUCED FROM FEMA FIRM PANELS 48251C0350J. POST-PROJECT FLOODPLAIN DELINEATED FROM HEC-RAS MODELING BASED ON PEAK FLOWS ESTIMATED FROM HEC-1.

CULVERT A-2
 SPILLWAY ELEV: 665 FT-MSL
 (3) 54" RCP
 UPSTREAM INVERT ELEV: 659.0 FT-MSL
 DOWNSTREAM INVERT: ELEV: 658.0 FT-MSL

CULVERT B-3
 SPILLWAY ELEV: 670.00 FT-MSL
 65 L.F. OF 7' X 5' CULVERT
 UPSTREAM INVERT ELEV: 664.51 FT-MSL
 DOWNSTREAM INVERT: ELEV: 664.48 FT-MSL

CULVERT A-1
 SPILLWAY ELEV: 700.00 FT-MSL
 14.3 L.F. OF 42" CMP
 UPSTREAM INVERT ELEV: 692.35 FT-MSL
 DOWNSTREAM INVERT: ELEV: 691.60 FT-MSL

CULVERT B-1
 SPILLWAY ELEV: 704.50 FT-MSL
 23.9 L.F. OF (2) 42" CMP
 UPSTREAM INVERT ELEV:
 1 - 699.71 FT-MSL
 2 - 699.84 FT-MSL
 DOWNSTREAM INVERT: ELEV:
 1 - 699.71 FT-MSL
 2 - 699.84 FT-MSL

CULVERT B-2
 SPILLWAY ELEV: 697 FT-MSL
 (5) 42" RCP
 UPSTREAM INVERT ELEV: 692.5 FT-MSL
 DOWNSTREAM INVERT: ELEV: 692.0 FT-MSL

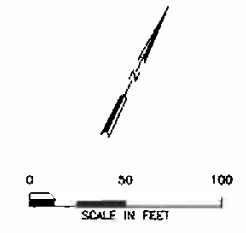
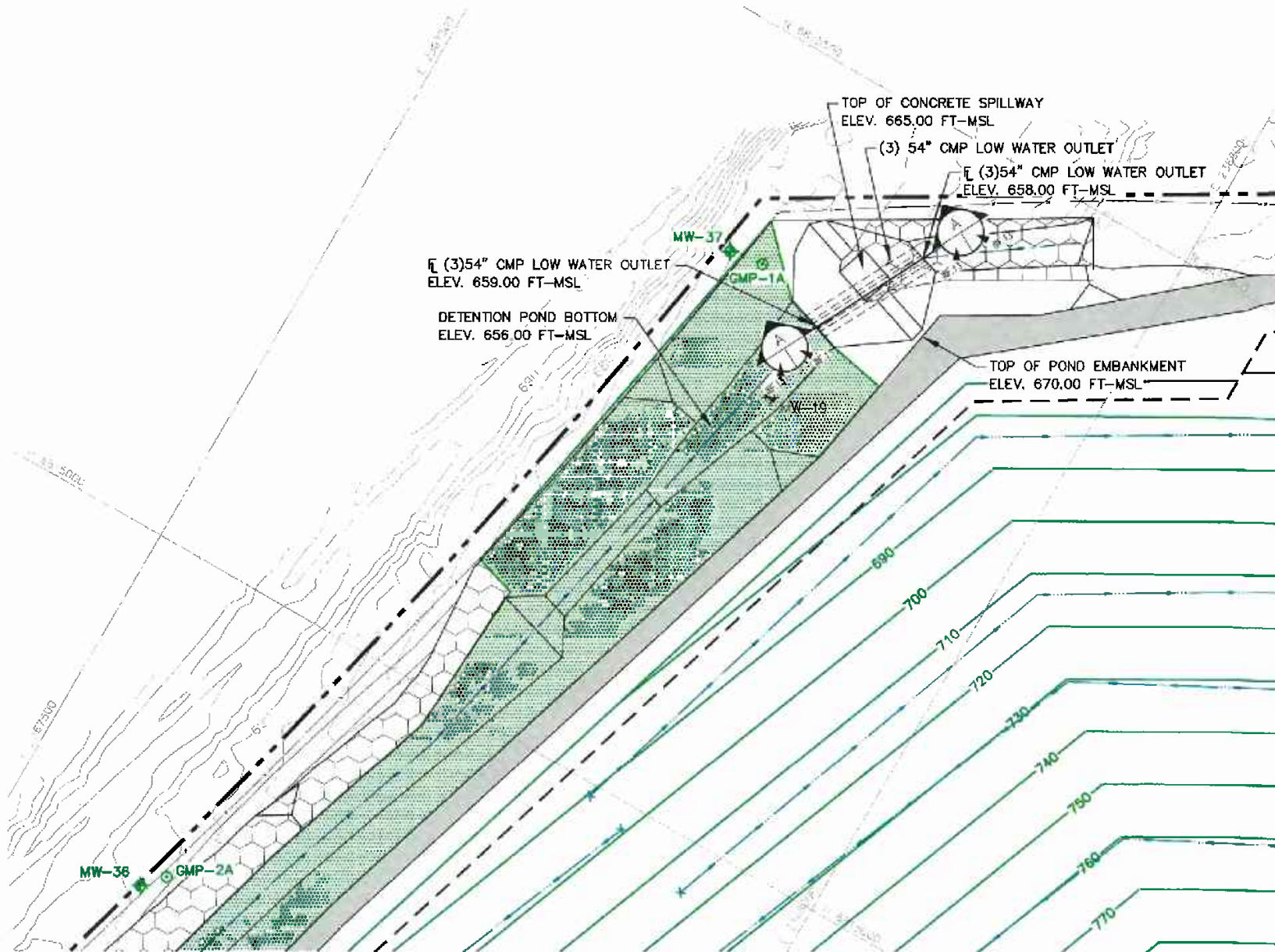
(3) CULVERT B-5
 SPILLWAY ELEV: 669.00 FT-MSL
 65 L.F. OF (3) 4' X 5' CULVERT
 UPSTREAM INVERT ELEV: 661.59 FT-MSL
 DOWNSTREAM INVERT: ELEV: 657.45 FT-MSL
 155 L.F. OF (3) 6' X 5' CULVERT
 UPSTREAM INVERT ELEV: 663.08 FT-MSL
 DOWNSTREAM INVERT: ELEV: 662.21 FT-MSL

<input type="checkbox"/> DRAFT	PREPARED FOR	TEXAS REGIONAL LANDFILL COMPANY, LP												
<input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY														
<input type="checkbox"/> ISSUED FOR CONSTRUCTION														
DATE: 02/2022	DRAWN BY: BPY	<table border="1"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>06/2022</td> <td>UPDATED TOPOGRAPHIC INFORMATION.</td> </tr> <tr> <td>2</td> <td>05/2023</td> <td>FEMA COMMENT RESPONSE</td> </tr> </tbody> </table>	REVISIONS			NO.	DATE	DESCRIPTION	1	06/2022	UPDATED TOPOGRAPHIC INFORMATION.	2	05/2023	FEMA COMMENT RESPONSE
REVISIONS														
NO.	DATE		DESCRIPTION											
1	06/2022	UPDATED TOPOGRAPHIC INFORMATION.												
2	05/2023	FEMA COMMENT RESPONSE												
FILE: 0771-368-11	DESIGN BY: BPY													
CAD: 1.5- POST-PROJECT SITE PLAN.DWG	REVIEWED BY: CRM													

**CLOMR REQUEST
 POST-PROJECT SITE PLAN**

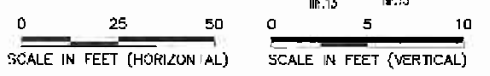
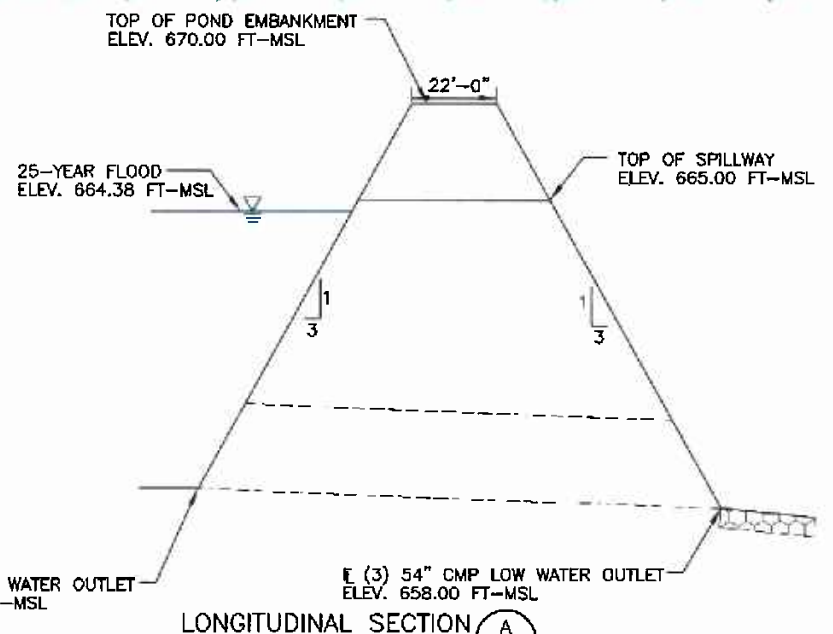
TURKEY CREEK LANDFILL
 JOHNSON COUNTY, TEXAS

0:\0771\368\EXPANSION 2021\CLOMR\1.5-POST-PROJECT SITE PLAN.dwg - byoung - 1/2



- LEGEND**
- PERMIT BOUNDARY
 - - - LIMITS OF WASTE
 - EXISTING CONTOUR
 - STATE PLANE COORDINATE
 - - - EASEMENT
 - 800 FINAL COVER CONTOUR
 - DRAINAGE LETDOWN
 - DRAINAGE SWALE
 - PROPOSED PERIMETER CHANNEL
 - GABIONS
 - TURF REINFORCEMENT MAT
 - ⊕ MW-7 EXISTING GROUNDWATER MONITORING WELL
 - ⊕ MW-37 PROPOSED GROUNDWATER MONITORING WELL
 - ⊕ GMP-1A PROPOSED GAS MONITORING PROBE

- NOTES:**
- EXISTING CONTOURS AND ELEVATIONS PROVIDED BY FIRMATEK FROM AERIAL PHOTOGRAPHY FLOWN ON 01-08-2021. THE GRID SYSTEM IS TIED TO THE TEXAS STATE PLANE COORDINATE SYSTEM NORTH CENTRAL ZONE NAD 1983.
 - REFER TO APPENDIX III-F SURFACE WATER DRAINAGE PLAN FOR DRAINAGE DESIGN INFORMATION.



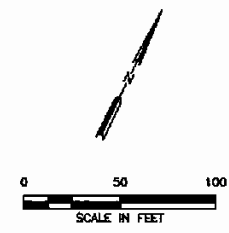
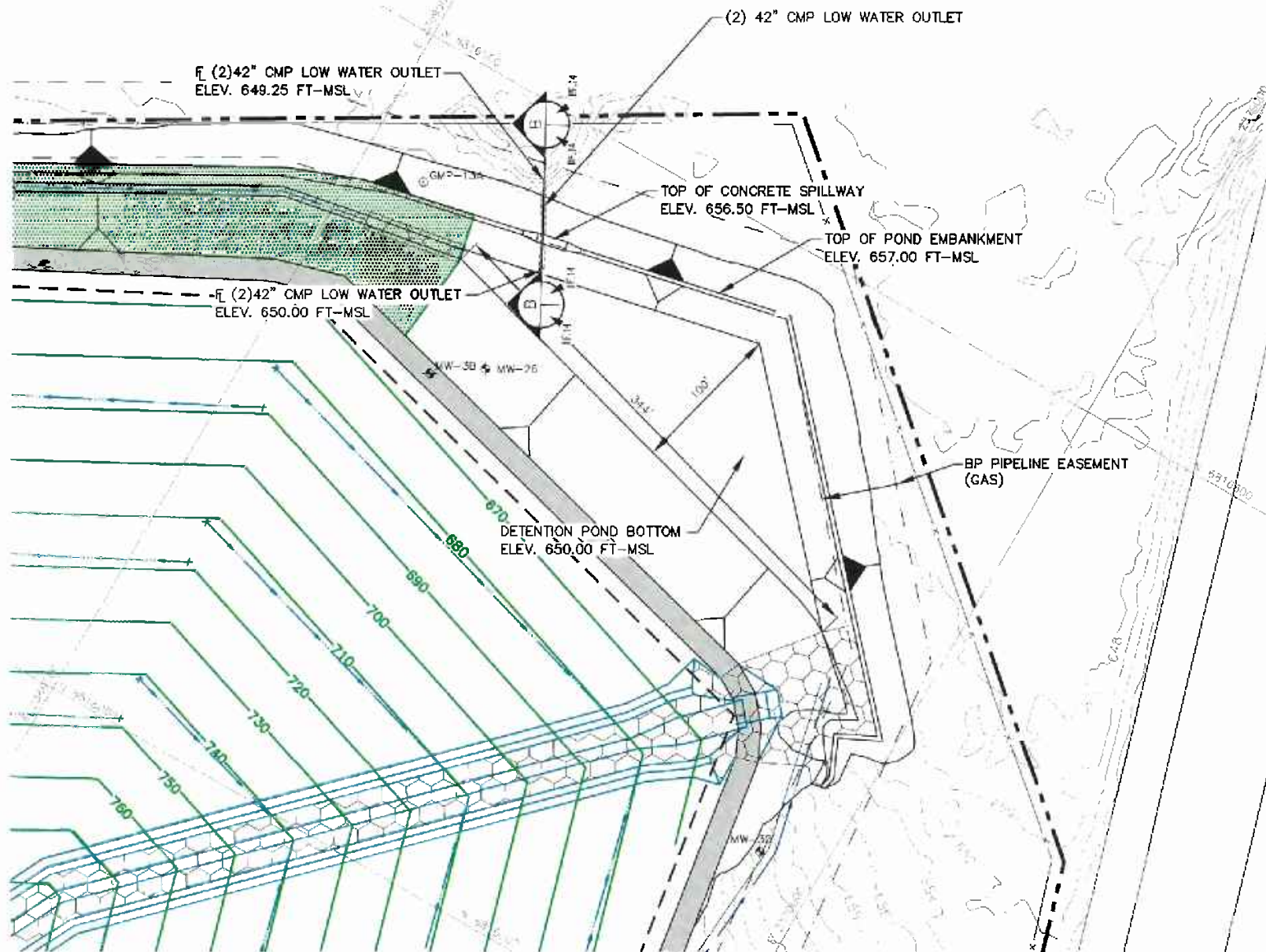
DETENTION POND DESIGN SUMMARY

POND BOTTOM	656.00 FT-MSL
TOP OF EMBANKMENT	670.00 FT-MSL
SPILLWAY ELEVATION	665.00 FT-MSL
25-YEAR PEAK STAGE	664.38 FT-MSL
25-YEAR STORAGE VOLUME	1.0 AC-FT
LOW WATER OUTLET	(3) 54" CMP
OUTLET UPSTREAM ELEVATION	659.00
OUTLET DOWNSTREAM ELEVATION	658.00



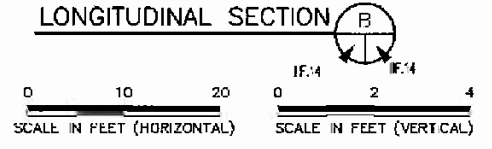
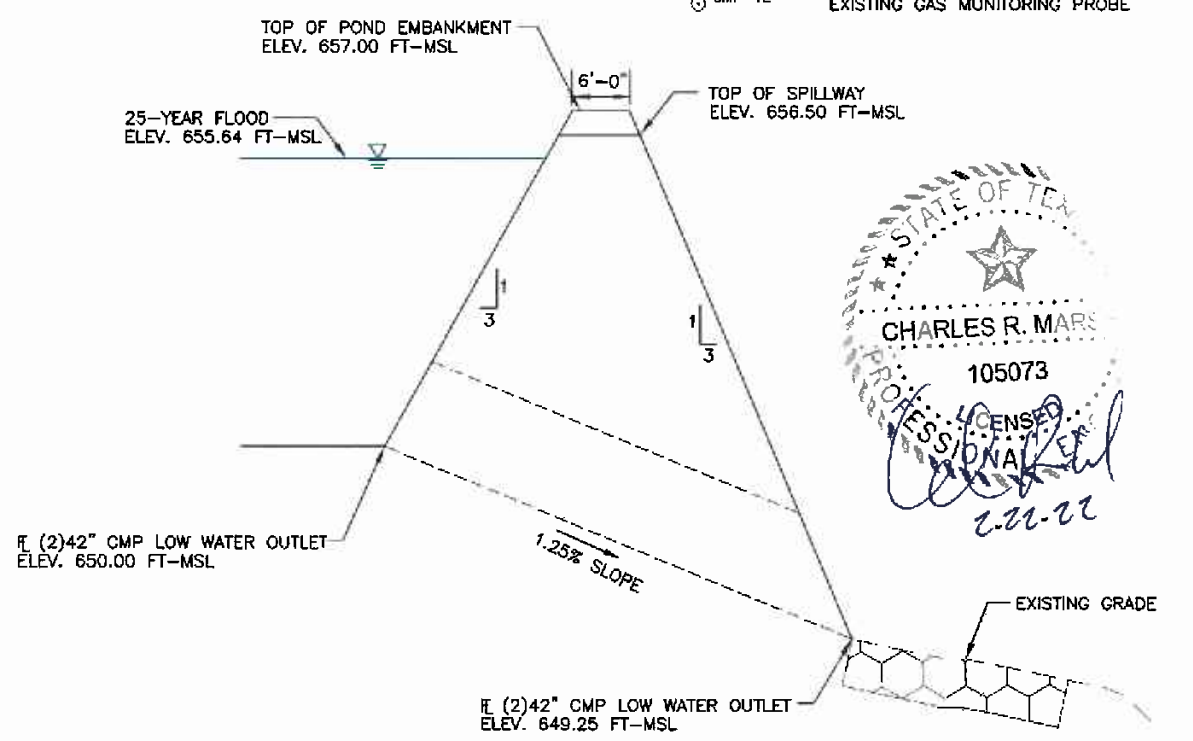
<input type="checkbox"/> DRAFT <input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY <input type="checkbox"/> ISSUED FOR CONSTRUCTION	PREPARED FOR TEXAS REGIONAL LANDFILL COMPANY, LP		MAJOR PERMIT AMENDMENT POND P1 PLAN TURKEY CREEK LANDFILL JOHNSON COUNTY, TEXAS					
	DATE: 02/2022 FILE: 0771-368-11 CDR: IIF.13-POND P1 PLAN.DWG			REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	
NO.	DATE	DESCRIPTION						
Weaver Consultants Group TBPE REGISTRATION NO. F-3727		WWW.WCGRP.COM	DRAWING IIF.13					

O:\0771\368\EXPANSION 2021\PART II\IIF\IIF-13-POND P1 PLAN.DWG, Harrington, LR



LEGEND

---	PERMIT BOUNDARY
---	LIMITS OF WASTE
---	EXISTING CONTOUR
---	STATE PLANE COORDINATE
---	EASEMENT
---	FINAL COVER CONTOUR
---	DRAINAGE LETDOWN
---	DRAINAGE SWALE
---	PROPOSED PERIMETER CHANNEL
---	GABIONS
---	TURF REINFORCEMENT MAT
+	EXISTING GROUNDWATER MONITORING WELL
+	EXISTING GAS MONITORING PROBE



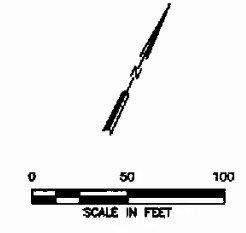
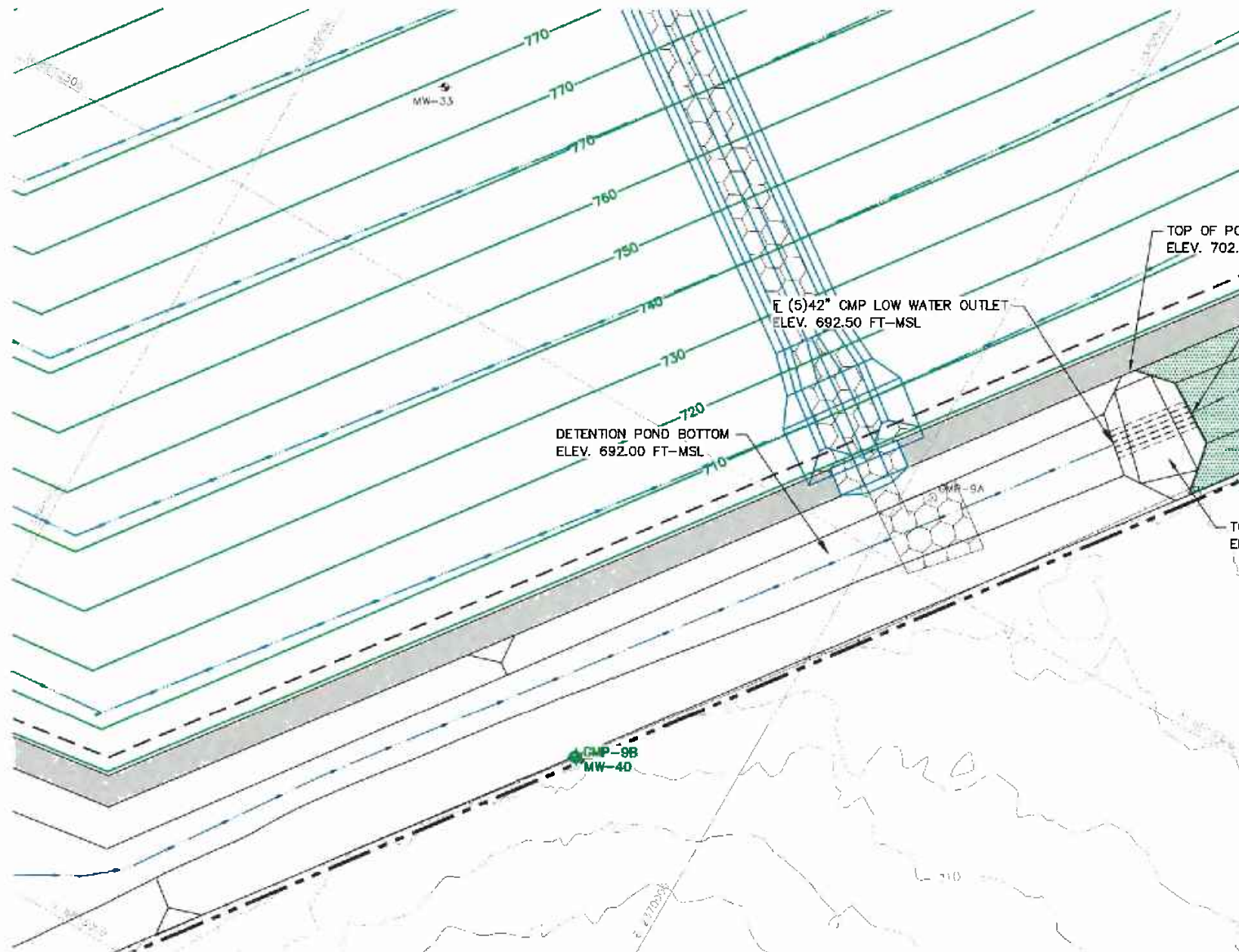
DETENTION POND DESIGN SUMMARY

POND BOTTOM	650.00 FT-MSL
TOP OF EMBANKMENT	657.00 FT-MSL
SPILLWAY ELEVATION	656.50 FT-MSL
25-YEAR PEAK STAGE	655.64 FT-MSL
25-YEAR STORAGE VOLUME	3.0 AC-FT
LOW WATER OUTLET	(2) 42" CMP
OUTLET UPSTREAM ELEVATION	650.00
OUTLET DOWNSTREAM ELEVATION	649.25

- NOTES:**
- EXISTING CONTOURS AND ELEVATIONS PROVIDED BY FIRMATEK FROM AERIAL PHOTOGRAPHY FLOWN ON 01-08-2021. THE GRID SYSTEM IS TIED TO THE TEXAS STATE PLANE COORDINATE SYSTEM NORTH CENTRAL ZONE NAD 1983.
 - REFER TO APPENDIX III-F-SURFACE WATER DRAINAGE PLAN FOR DRAINAGE DESIGN INFORMATION.

<input type="checkbox"/> DRAFT <input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY <input type="checkbox"/> ISSUED FOR CONSTRUCTION	PREPARED FOR TEXAS REGIONAL LANDFILL COMPANY, LP	MAJOR PERMIT AMENDMENT POND P2 PLAN TURKEY CREEK LANDFILL JOHNSON COUNTY, TEXAS									
	DATE: 02/2022 FILE: 0771-368-11 DWG: M-14-POND P2 PLAN.DWG		DRAWN BY: JOW DESIGN BY: CAM REVIEWED BY: NT	REVISIONS <table border="1"> <tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	DESCRIPTION				
NO.	DATE	DESCRIPTION									
Weaver Consultants Group TBPB REGISTRATION NO. F-3727		WWW.WCGRP.COM DRAWING III.F.14									

D:\0771\0771-368-11-POND P2 PLAN.DWG, 02-21-2022, 1:4



- LEGEND**
- PERMIT BOUNDARY
 - LIMITS OF WASTE
 - EXISTING CONTOUR
 - STATE PLANE COORDINATE
 - EASEMENT
 - 800 --- FINAL COVER CONTOUR
 - DRAINAGE LETDOWN
 - DRAINAGE SWALE
 - PROPOSED PERIMETER CHANNEL
 - GABIONS
 - TURF REINFORCEMENT MAT
 - MW-33 EXISTING GROUNDWATER MONITORING WELL
 - GMP-9A EXISTING GAS MONITORING PROBE
 - MW-40 PROPOSED GROUNDWATER MONITORING WELL
 - GMP-9B PROPOSED GAS MONITORING PROBE

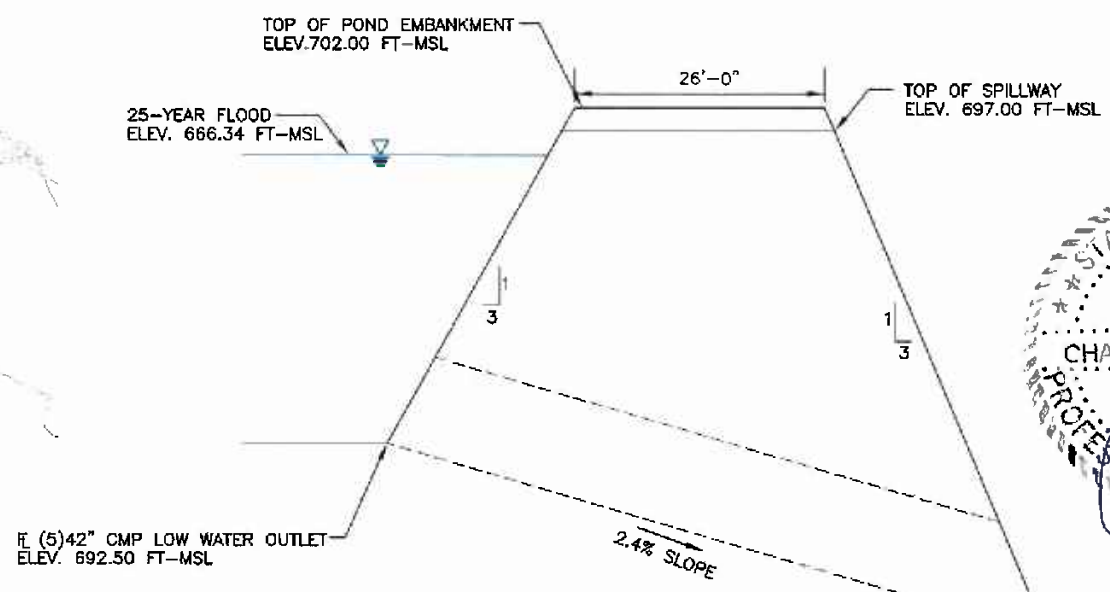
TOP OF POND EMBANKMENT
ELEV. 702.00 FT-MSL

TOP OF CONCRETE SPILLWAY
ELEV. 697.00 FT-MSL

DETENTION POND BOTTOM
ELEV. 692.00 FT-MSL

(5)42" CMP LOW WATER OUTLET
ELEV. 692.50 FT-MSL

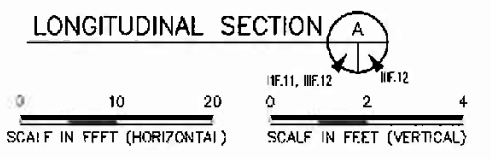
(5)42" CMP LOW WATER OUTLET
ELEV. 692.00 FT-MSL



- NOTES:**
- EXISTING CONTOURS AND ELEVATIONS PROVIDED BY FIRMA TEK FROM AERIAL PHOTOGRAPHY FLOWN ON 01-08-2021. THE GRID SYSTEM IS TIED TO THE TEXAS STATE PLANE COORDINATE SYSTEM NORTH CENTRAL ZONE NAD 1983.
 - REFER TO APPENDIX III-F-SURFACE WATER DRAINAGE PLAN FOR DRAINAGE DESIGN INFORMATION.

DETENTION POND DESIGN SUMMARY

POND BOTTOM	692.00 FT-MSL
TOP OF EMBANKMENT	702.00 FT-MSL
SPILLWAY ELEVATION	697.00 FT-MSL
25-YEAR PEAK STAGE	696.34 FT-MSL
25-YEAR STORAGE VOLUME	7.0 AC-FT
LOW WATER OUTLET	(5)42" CMP
OUTLET UPSTREAM ELEVATION	692.50
OUTLET DOWNSTREAM ELEVATION	690.00



<input type="checkbox"/> DRAFT <input checked="" type="checkbox"/> FOR PERMITTING PURPOSES ONLY <input type="checkbox"/> ISSUED FOR CONSTRUCTION	PREPARED FOR TEXAS REGIONAL LANDFILL COMPANY, LP	MAJOR PERMIT AMENDMENT POND P3 PLAN TURKEY CREEK LANDFILL JOHNSON COUNTY, TEXAS					
	DATE: 02/2022 FILE: 0771-368-11 CD: IIF-15-POND P3 PLAN.DWG		REVISIONS <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION	
NO.	DATE	DESCRIPTION					
DRAWN BY: JOW DESIGN PRG: CAM REVIEWED BY: MT	Weaver Consultants Group TBPE REGISTRATION NO. F-3727	WWW.WCGRP.COM DRAWING IIF.15					

100% FINAL PLAN SHEET 03 PLAN DWG. P.01100001.1.P
 100% FINAL PLAN SHEET 03 PLAN DWG. P.01100001.1.P

LEGAL DESCRIPTION

Tract 1:
 Being a tract of land located in the D. S. Henderson Survey, Abstract 334 and the Banaiah Jones Survey Abstract No. 449, Johnson County, Texas and being a portion of that tract of land described in Volume 1800, Page 25 and being more particularly described as follows:
 Beginning at a 1/2 inch iron rod on the North line of the D. S. Henderson, Abstract 334, solid point being North 60 degrees 10 minutes 47 seconds East, a distance of 3603.08 feet from the Northwest corner of said survey;
 Thence South 48 degrees 28 minutes 00 seconds East, a distance of 525.43 feet to a 1/2 inch iron rod in the West R.O.W. line of I. H. 35 (a 176.00 foot R. O. W.);
 Thence South 15 degrees 55 minutes 00 seconds East, with the West R. O. W. line of I. H. 35, a distance of 989.82 feet to a 1/2 inch iron rod;
 Thence South 15 degrees 55 minutes 00 seconds East, continuing the West R.O.W. line of I. H. 35 a distance of 602.37 feet to an 1/2 inch iron rod at an angle point;
 Thence South 08 degrees 08 minutes 00 seconds West, a distance of 208.49 feet to a 1/2 inch iron rod at an angle point;
 Thence South 14 degrees 05 minutes 00 seconds West a distance of 232.50 feet to a 1/2 inch iron rod at an angle point;
 Thence South 13 degrees 52 minutes 25 seconds East, a distance of 145.35 feet to a found concrete monument and a point of leaving the I. H. 35 R. O. W.;
 Thence South 37 degrees 32 minutes 43 seconds West, a distance of 1642.53 feet to a 1/2 inch iron rod at an angle point in County Road No. 313 (Greenfield Road);
 Thence North 77 degrees 45 minutes 41 seconds West, continuing with said County Road a distance of 225.00 feet to a 1/2 inch iron rod at an angle point;
 Thence North 82 degrees 53 minutes 28 seconds West, a distance of 314.01 feet to a 3/8 inch iron rod at an angle point;
 Thence South 87 degrees 46 minutes 55 seconds West, a distance of 477.42 feet to a 1/2 inch iron rod for an angle point;
 Thence South 60 degrees 25 minutes 18 seconds West, a distance of 883.78 feet to a 1/2 inch iron rod for an angle point; Thence South 70 degrees 44 minutes 01 seconds West, a distance of 247.05 feet to a 1/2 inch iron rod at an angle point;
 Thence North 51 degrees 26 minutes 27 seconds West, leaving said County Road, a distance of 975.66 feet to a 1/2 inch iron rod in the East Row line of the MKTRR (100 foot ROW) for a corner;
 Thence North 18 degrees 04 minutes 22 seconds East, with the East Row line of the MKTRR, a distance of 820.99 feet to a 3/8 inch iron rod;
 Thence North 18 degrees 06 minutes 17 seconds East, a distance of 1014.38 feet to a 1/2 inch iron rod at the Point of a curve to the left having a central angle of 7 degrees 36 minutes 08 seconds and a radius of 5799.50 feet and a radius bearing North 72 degrees 39 minutes 28 seconds West;
 Thence with the arc of said curve a distance of 769.61 feet to a 1/2 inch iron rod at the point of leaving said curve and the MKTRR Row;
 Thence North 80 degrees 10 minutes 47 seconds East, a distance of 2327.28 feet to a point of beginning and containing 219.597 acres of land more or less.
 Tract 2:
 Being all that certain tract or parcel of land lying in the Daniel S. Henderson Survey, Abstract No. 334, of Johnson County, Texas and being a portion of that certain tract of land conveyed by Harry W. Ellis and Adeline Mae Ford to Wayne A. Coble, Ralph F. Covens, and Benjamin L. Doskocil according to the Warranty Deed filed of record in Volume 979, Page 870, of the Real Records, Johnson County, Texas and being more particularly described by metes and bounds as follows:
 Beginning at an iron rod found for corner of the Northwest corner of said Covens Tract and the Southwest corner of a tract of land deeded to Willa Porter recorded in Volume 2738, Page 948, of the Deed Records, Johnson County, Texas and also being the Northwest corner of the tract herein described:
 Thence North 70 degrees 07 minutes 17 seconds East, along the North line of said Porter tract and generally along a fence line, a distance of 838.68 feet to an iron rod found for corner;
 Thence North 67 degrees 41 minutes 45 seconds East, a distance of 354.48 feet to a point in the approx center of Turkey Creek and being the most Northerly Northwest corner of this tract;
 Thence along said Turkey Creek, the following courses and distances:
 South 49 degrees 12 minutes 48 seconds East, 200.98 feet;
 South 10 degrees 00 minutes 00 seconds West, 200.00 feet;
 South 62 degrees 21 minutes 14 seconds East, 107.87 feet;
 North 51 degrees 09 minutes 27 seconds East, 220.91 feet;
 South 44 degrees 03 minutes 20 seconds East, 277.00 feet;
 South 54 degrees 58 minutes 38 seconds East, 90.14 feet to a fence corner post for corner, said corner being the Northwest corner of a 18.75 acre Moore tract;
 Thence South 30 degrees 12 minutes 05 seconds East, along the West line of said Moore Tract, and generally along a fence line a distance of 943.72 feet to an iron rod found for corner;
 Thence South 28 degrees 33 minutes 23 seconds East, along the West line of a 15.75 acre Atlas tract and generally along a fence, a distance of 659.28 feet to an iron rod found for corner, said corner being the Southwest corner of said Atlas tract;
 Thence North 75 degrees 40 minutes 32 seconds East, along the South line of said Atlas tract, a distance of 349.70 feet to a point for corner in a fence line, said point being in the East line of a 43.70 acre Varnestegh tract;
 Thence South 29 degrees 38 minutes 54 seconds East, along the West line of said Varnestegh tract and generally along a fence line a distance of 1254.37 feet to an iron rod found at a fence corner in the North line of County Road No. 107 and being the Southeast corner of this tract;
 Thence South 47 degrees 03 minutes 36 seconds West, a distance of 30.00 feet to a point for a corner in the center of said County Road No. 107 and being in a non tangent curve to the left;
 Thence along the right of way line of said County Road 107, the following courses and distances:
 Along said curve to the left, whose radius is 838.63 feet, and whose central angle is 46 degrees 25 minutes 27 seconds and having an arc distance of 679.74 feet;
 South 88 degrees 45 minutes 16 seconds West, a distance of 1373.69 feet to a point for corner, and being the Southwest corner of this tract, and being a Southeast corner of a 10.00 acre tract surveyed out on this same day;
 Thence North 01 degrees 17 minutes 08 seconds West, along the East line of said 10.00 acre tract, a distance of 558.68 feet to an iron rod set for corner;
 Thence North 55 degrees 39 minutes 14 seconds West, with the North line of said 10.00 acre tract, to a 2 inch iron stake set for corner;
 Thence South 29 degrees 34 minutes 14 seconds West, with a Westerly line of said 10.00 acre tract, a distance of 881.68 feet to an iron rod found for corner in the Easterly line of Interstate Highway 35-W;
 Thence along the easterly line of said Highway the following courses and distances:
 North 31 degrees 56 minutes 00 seconds West, 265.79 feet;
 North 19 degrees 25 minutes 00 seconds West, 164.00 feet;
 North 15 degrees 53 minutes 49 seconds West, 399.38 feet to a concrete monument;
 Thence North 09 degrees 40 minutes 43 seconds West, a distance of 129.70 feet to an iron pin found for corner, and being the Southwest corner of a 1.72 acre tract of land recorded in Volume 2447, Page 896, of the Deed Records, of Johnson County, Texas;
 Thence North 55 degrees 49 minutes 06 seconds West, generally along a fence line and along the South line of said 1.72 acre tract, a distance of 387.95 feet to an iron rod found for corner;
 Thence North 32 degrees 51 minutes 06 seconds West, a distance of 80.62 feet to an iron rod found for a corner;
 Thence North 78 degrees 27 minutes 00 seconds West, along the North line of said 1.72 acre tract, and generally along a fence, a distance of 391.47 feet to an iron rod found for corner in the East line of said Interstate Highway 35-W;
 Thence North 15 degrees 38 minutes 34 seconds West, 1215.38 feet to the Point of Beginning and containing 118.09 acres of land more or less.

THIS DESCRIPTION DESCRIBES ALL THAT PROPERTY DESCRIBED IN THE TITLE COMMITMENT IDENTIFIED AS STEWART TITLE GUARANTY COMPANY COMMITMENT No. 10813812V-7 BEARING AN EFFECTIVE DATE OF JANUARY 28, 2009.

FLOOD NOTE:
 BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE(S) X & AE OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 48251C0150F, WHICH BEARS AN EFFECTIVE DATE OF 9-27-91 AND IS PARTIALLY IN A SPECIAL FLOOD HAZARD AREA, BY CONTACT DATED 1-28-09 TO THE NATIONAL FLOOD INSURANCE PROGRAM http://www.fema.gov/ WE HAVE LEARNED THIS COMMUNITY DOES CURRENTLY PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

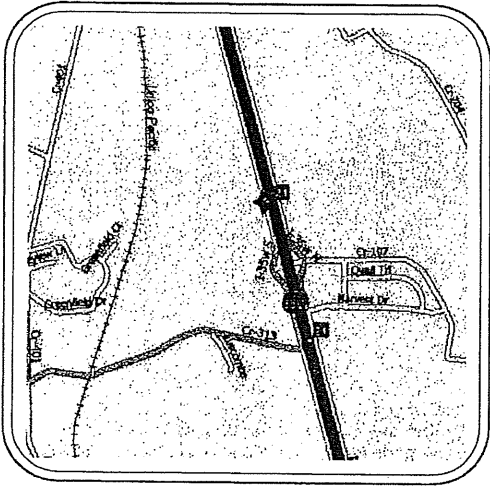
Items Corresponding to Schedule B

- 10 a. The following matters and all terms of the documents creating or offering evidence of the matters:
 10a b. INTENTIONALLY DELETED
 10a c. Easement from Louise Powers to Sinclair Pipe Line Co. by instrument dated 1/16/58, filed 3/6/58, recorded in Volume 407, Page 1, Real Property Records, Johnson County, Texas. Tract 1 affects subject property - SURVEYOR IS UNSURE IF THIS ITEM AFFECTS THE SUBJECT PROPERTY AS IT CONTAINS NO METES AND BOUNDS DESCRIPTION.
 10a d. Easement from Turkey Creek Landfill TX, LP to United Electric Cooperative Services, Inc. by instrument dated 4/9/02, filed 4/28/02, recorded in Volume 2818, Page 341, Real Property Records, Johnson County, Texas. Tract 2 affects subject property - ITEM APPEARS TO AFFECT THE SUBJECT PROPERTY, HOWEVER IT CANNOT BE PLOTTED AS IT CONTAINS NO METES AND BOUNDS DESCRIPTION.
 10a e. Easement from Turkey Creek Landfill TX, LP to Southwestern Gas Pipeline, Inc. by instrument dated 8/27/05, filed 8/2/05, recorded in Volume 3589, Page 736, Real Property Records, Johnson County, Texas. Tract 2 as shown on survey dated 1/25/09 prepared by Bock & Clark, Corp. - ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED.
 10a f. INTENTIONALLY DELETED
 10a g. Easement from Turkey Creek Landfill TX, LP to J-W Gathering Company by instrument dated 11/2/07, filed 9/2/07, recorded in Volume 4247, Page 148, Real Property Records, Johnson County, Texas. Tract 2 as shown on survey dated 1/28/09 prepared by Bock & Clark, Corp. - ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED.
 10a h. Easement from J. C. Roystone and wife Lilian Pauline Roystone to Sinclair Pipeline Company by instrument dated 12/2/55, filed 12/14/55, recorded in Volume 408, Page 217, Real Property Records, Johnson County, Texas. Tract 1 as shown on survey dated 1/28/09 prepared by Bock & Clark, Corp. - ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED.
 10a i. Easement from Supreme Waste Control, Inc. to Johnson County Rural Water Supply Corporation by instrument dated 11/20/85, filed 11/20/85, recorded in Volume 1154, Page 171, Real Property Records, Johnson County, Texas. Tract 1 affects subject property - ITEM APPEARS TO AFFECT THE SUBJECT PROPERTY, HOWEVER IT CANNOT BE PLOTTED AS IT CONTAINS NO METES AND BOUNDS DESCRIPTION.
 10a j. Easement from Emma Catherine Lightfoot et alio Sinclair Pipe Line Company by instrument dated 2/14/58, filed 3/19/58, recorded in Volume 407, Page 144, Real Property Records, Johnson County, Texas. Tract 1 as shown on survey dated 1/28/09 prepared by Bock & Clark, Corp. - ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED.
 10a k. Power Line Easement dated 2/12/75 executed by Ueta Lightfoot et alio J. C. Roystone et alio dated 2-10-78 recorded in Volume 682, Page 777, Real Property Records, Johnson County, Texas. Tract 1 as shown on survey dated 1/28/09 prepared by Bock & Clark, Corp. - ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED.
 10a l. INTENTIONALLY DELETED
 10a m. Easement from C.E. Neff and wife to The Texas Pipe Line Company by instrument dated 6/20/49, recorded in Volume 369, Page 630, Real Property Records, Johnson County, Texas. Tract 1 affects subject property - SURVEYOR IS UNSURE IF THIS ITEM AFFECTS THE SUBJECT PROPERTY AS IT CONTAINS NO METES AND BOUNDS DESCRIPTION.
 10a n. Easement from C. E. Neff and wife to The Sinclair Pipe Line Co. by instrument dated 12-5-55, recorded in Volume 406, Page 234, Real Property Records, Johnson County, Texas. Tract 1 affects subject property - SURVEYOR IS UNSURE IF THIS ITEM AFFECTS THE SUBJECT PROPERTY AS IT CONTAINS NO METES AND BOUNDS DESCRIPTION.
 10a o. Easement from C. E. Neff and wife to Johnson County Water Supply Corporation by instrument dated 11/25/88 recorded in Volume 497, Page 475, Real Property Records, Johnson County, Texas. Tract 1 Blanket easement - ITEM AFFECTS THE SUBJECT PROPERTY AND IS BLANKET IN NATURE.
 10a p. Easement from F W Coleman et alio State of Texas by instrument dated 9/22/83, recorded in Volume 462, Page 312, Real Property Records, Johnson County, Texas. Tract 1 affects subject property - SURVEYOR IS UNSURE IF THIS ITEM AFFECTS THE SUBJECT PROPERTY AS IT CANNOT BE TIED TO THE SUBJECT PROPERTY.
 10a q. Easement from Moggle Ingle et alio Sinclair Pipe Line Co. by instrument dated 12-5-55, filed 1-3-58, recorded in Volume 408, Page 242, Real Property Records, Johnson County, Texas. Tract 1 as shown on survey dated 1/26/09 prepared by Bock & Clark, Corp. - ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED.
 10a r. Easement from Kenneth R. Jahno and wife to Johnson County Water Supply Corporation by instrument dated 8/10/73, filed 9/20/73, recorded in Volume 619, Page 173, Real Property Records, Johnson County, Texas. Tract 1 affects subject property- ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED.
 10a s. Easement to Texas Pipeline Co. by instrument dated 5/22/49, filed 10/27/49, recorded in Volume 370, Page 412, Real Property Records, Johnson County, Texas. Tract 1 affects subject property- SURVEYOR IS UNSURE IF THIS ITEM AFFECTS THE SUBJECT PROPERTY AS IT CONTAINS NO METES AND BOUNDS DESCRIPTION.
 10a t. Easement to Johnson County Water Supply Corporation by instrument dated 3/15/79, recorded in Volume 793, Page 143, Real Property Records, Johnson County, Texas. Tract 1 affects subject property- ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED.
 10a u. Easement by instrument dated 6/17/49, recorded in Volume 389, Page 82 and Volume 369, Page 88, Real Property Records, Johnson County, Texas. Tract 1 as shown on survey dated 1/26/09 prepared by Bock & Clark, Corp. - ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED.

Items Corresponding to Schedule B

- 10v. 3/2 of the oil, gas and other minerals, royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument dated 1/25/84, filed 1/18/84, executed by Harry Ellis and wife Adeline Mae Ford to Wayne A. Coble, Ralph T. Covens and Benjamin L. Doskocil, recorded in Volume 979, Page 870, Real Property Records, Johnson County, Texas. The Company makes no representation as to the present ownership of this interest. Tract 2 - PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION LIES WITHIN THE SUBJECT PROPERTY.
- 10w. An oil, gas and mineral lease dated 1/22/05, filed 3/10/05, executed by Turkey Creek Landfill TX LP as lessor, in favor of Stroud Energy Ltd, as lessee, and recorded in Volume 3488, Page 231, Real Property Records, Johnson County, Texas. Tract 2 - PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION LIES WITHIN THE SUBJECT PROPERTY.
- 10z. All of the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument dated 8/29/85, filed 10/1/85, recorded in Volume 1142, Page 557, Real Property Records, Johnson County, Texas. The Company makes no representation as to the present ownership of this interest. Tract 1 - PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION LIES WITHIN THE SUBJECT PROPERTY.
- 10aa. INTENTIONALLY DELETED
- 10bb. INTENTIONALLY DELETED
- 10cc. INTENTIONALLY DELETED
- 10dd. INTENTIONALLY DELETED
- 10ee. Terms, conditions and stipulations in that certain unrecorded Landfill Agreement dated 9/19/02, by and between Thurmon Transportation, Inc., a Texas corporation, and Turkey Creek Landfill TX, LP, a Delaware corporation. Tract 2 - THIS ITEM AFFECTS THE SUBJECT PROPERTY AND IS BLANKET IN NATURE.
- 10ff. INTENTIONALLY DELETED
- 10gg. INTENTIONALLY DELETED

Vicinity Map



Utility Notes

UN1 THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN UTILITIES.

Statement of Encroachments

A SUBJECT'S FENCE ENROACHES INTO THE R/W BY 28.7' +/-.

Miscellaneous Notes

- MN1 BEARINGS SHOWN ON THIS SURVEY ARE BASED ON INFORMATION OBTAINED FROM THE VESTING DEED.
- MN2 ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/ACSM SPECIFICATIONS, UNLESS OTHERWISE NOTED.
- MN3 AT THE TIME OF THIS ALTA/ACSM LAND TITLE SURVEY THERE WAS EVIDENCE OF EARTH MOVING, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE SUBJECT PROPERTY.
- MN4 AT THE TIME OF THIS ALTA/ACSM LAND TITLE SURVEY THERE WERE NO CHANGES IN RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED BY ANY CONTROLLING JURISDICTION.
- MN5 AT THE TIME OF THIS ALTA/ACSM LAND TITLE SURVEY THERE WAS EVIDENCE THAT THE SUBJECT PROPERTY WAS BEING USED AS A SOLID WASTE DUMP, SUMP OR LANDFILL.
- MN6 AT THE TIME OF THIS ALTA/ACSM LAND TITLE SURVEY THERE WAS NO EVIDENCE OF ANY CEMETERIES ON THE SUBJECT PROPERTY.
- MN7 AT THE TIME OF THIS ALTA/ACSM LAND TITLE SURVEY THERE WAS NO EVIDENCE OF AN ADDRESS POSTED ON THE SUBJECT PROPERTY.
- MN8 SITE PLAN DATED 8-2007, FILE NO. 0120-72-11 BY WEAVER BOOS CONSULTANTS WAS REFERENCED.

Zoning Information

STATUS	ZONING DATED, CURRENT	DISTRICT	NONE
PERMITTED USE	NONE	LANDFILL	1 N. MAIN STREET
MINIMUM LOT AREA	NONE	14,578.834 SQ.FT. +/- (TOTAL)	NOT AVAILABLE
MINIMUM FRONTAGE	NONE	SEE SURVEY	1-28-09
MINIMUM LOT WIDTH	NONE	SEE SURVEY	PHONE/FAX NUMBER 817-556-8380
MAX. BUILDING COVERAGE	NONE	.02X +/-	EMAIL ADDRESS NOT AVAILABLE
MINIMUM SETBACKS FRONT	NONE	NONE	NOTES: JOHNSON COUNTY DOES NOT HAVE ZONING.
MINIMUM SETBACKS SIDE	NONE	NONE	
MINIMUM SETBACKS REAR	NONE	NONE	
MAX. BUILDING HEIGHT	NONE	8', 13' & 22'	
PARKING REGULAR	NONE	0	
PARKING HANDICAP	NONE	0	
PARKING TOTAL	NONE	0	

Drawn By: SH & BM Surveyed By: BW
 Approved By: BH Date Drawn: 1-26-09
 Job No: 4200900003 Sheet: 1 of 3
 Prior Job No:

No.	Date	Description	By
1	1-27-09	NETWORK COMMENTS	SH
2	1-27-09	REVISED TITLE	SH
3	1-28-09	NETWORK COMMENTS	SH
4	2-6-09	NETWORK COMMENTS	SH
5	2-9-09	CLIENT COMMENTS	SH
6	2-17-09	CLIENT COMMENTS	SH
7	3-5-09	CLIENT COMMENTS	SH
8	3-6-09	CLIENT COMMENTS	SH
9	3-11-09	NETWORK COMMENTS	SH
10	4-10-09	CERT. REVISION	SH

COPYRIGHT 2009 by Bock & Clark, Corp. This product style and format is protected by Copyright and all rights are reserved. The use of this style and format is strictly prohibited without the written consent and permission of Bock & Clark, Corp.

Project No. 4200900003

ALTA/ACSM Land Title Survey

Republic Services Project
 B&C Project No. 200801745, 0018
 Client Number 019
 Turkey Creek Landfill TX, LP
 9100 South 1-35 West Exd 21, Alvarado/Grandview, TX
 76009

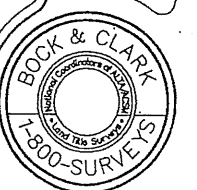
Surveyor's Certification

To: Turkey Creek Landfill TX, LP; IESI TX Landfill, LP.; Stewart Title Guaranty Company and Bock & Clark Corporation.
 The undersigned certifies that to the best of his professional knowledge, information and belief, this map or plat and the Survey on which it is based were made on the data shown below of the premises specifically described in Commitment No. 10813812V-7 dated January 28, 2009 and were made: (i) in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005; (ii) in accordance with the Survey Requirements for Republic Services Survey dated 12/12/2008 12:00:00 AM, and includes items 1, 2, 3, 4, 6, 7a, 7b, 7c, 8, 9, 10, 11a, 13, 14 of Table A specifically defined therein, and (iii) Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Texas, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.



Date of Survey: 1/26/2009
 Date of Last Revision: 4/10/2009
 Network Project No. 200801745-18
 Pittsburgh Project No. 4200900003
 Version: #8
 Client Number 019
 Survey Performed By:
 Bock & Clark Corporation
 501 Thomson Park Drive
 Cranberry Township, PA 15066
 Phone: 800-787-8394
 Fax: 724-934-0862
 Email: davis@1800surveys.com
 Byron D. Howell
 Registration No. 0048
 Sheet 1 of 3

Bock & Clark's National Surveyors Network
 National Coordinators of ALTA/ACSM Land Title Surveys
 537 North Cleveland-Massillon Road Akron, Ohio 44333
 Phone: (800) Surveys, Fax: (330) 666-3608 www.1800surveys.com



013124

1500

pg. 254

BK1800PG0254

13

WARRANTY DEED

Date: December 1, 1993

Grantor: Supreme Waste Control, Inc. a Texas corporation, acting herein by and through its duly authorized officer, David J. Brask, a single man, and Peter J. DeLutis, not joined herein by my wife as this constitutes no part of my business or residence homesteads, and Peter J. DeLutis, Trustee

Grantor's Mailing Address (including county): P. O. Box 800306, Houston, Harris County, Texas 77280

Grantee: Peter J. DeLutis and David J. Brask, a single man

Grantee's Mailing Address (including county): P. O. Box 800306 Houston, Harris County, Texas 77280

Consideration: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to the undersigned paid by the Grantees herein named, the receipt of which is hereby acknowledged, and accepted;

GRANTOR has Granted, Sold and Conveyed, and by these presents does Grant, Sell and Convey three tracts of land out of the D. S. Henderson, Abstract 334, and the Benajah Jones Abstract 449 Surveys, Johnson County, Texas, described in Exhibit A attached hereto and incorporated herein by reference for all purposes;

Reservations from and Exceptions to Conveyance and Warranty:

SUBJECT TO: This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: Any and all restrictions, covenants, conditions and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

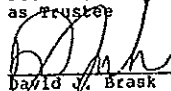
Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

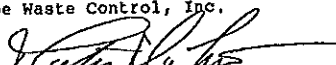
When the context requires, singular nouns and pronouns include the plural.

BK 1800PG0255

EXECUTED this the 1st day of December, 1993.


Peter J. DeLutis, Individually and
as Trustee

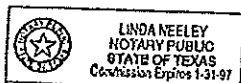

David J. Brask

Supreme Waste Control, Inc.
By: 
Peter J. DeLutis, President

THE STATE OF TEXAS

COUNTY OF JOHNSON

This instrument was acknowledged before me on the 1st day of December, 1993, by Peter J. DeLutis, President of Supreme Waste Control, Inc., a Texas corporation, on behalf of said corporation.

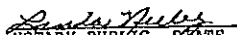



NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF JOHNSON

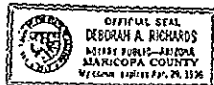
This instrument was acknowledged before me on the 1st day of December, 1993, by Peter J. DeLutis, Individually and as Trustee.




NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF ARIZONA
COUNTY OF Maricopa

This instrument was acknowledged before me on the 13th day of December, 1993, by David J. Brask.




NOTARY PUBLIC, STATE OF ARIZONA

My commission expires: 1/29/94
Deborah A. Richards
Printed name of notary

Return to:
Supreme Waste Control, Inc.
P.O. Box 900306
Houston, Texas 77280

TRACT 1
19.936 ACRE TRACT

EXHIBIT A

BEING A TRACT OF LAND LOCATED IN THE D. S. HENDERSON SURVEY ABSTRACT 336 AND JOHNSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE TIE MOVEMENT IN THE WEST R.O.W. LINE OF IN 357 AT THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE $30^{\circ}00'00''$ WHOSE CENTER BEARS N $76^{\circ}03'35''$ E A DISTANCE OF 255.18 FEET, SAID POINT BEING N $49^{\circ}23'23''$ E, A DISTANCE OF 380.88 FEET FROM THE ACCEPTED NORTHWEST CORNER OF SAID SURVEY;

THENCE WITH THE ARC OF SAID CURVE A DISTANCE OF 133.61 FEET TO A SET $1/2''$ IRON ROD AT A POINT OF TANGENCY;

THENCE S $47^{\circ}03'19''$ E, A DISTANCE OF 233.60 FEET TO A $5/8''$ IRON ROD AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF $25^{\circ}59'40''$, A RADIUS OF 414.76 FEET AND WHOSE RADIUS POINT BEARS S $44^{\circ}02'37''$ W;

THENCE WITH THE ARC OF SAID CURVE A DISTANCE OF 217.12 FEET TO A CONCRETE TIE MOVEMENT;

THENCE S $15^{\circ}53'44''$ E, A DISTANCE OF 1128.15 FEET TO A TIE MOVEMENT TO A POINT OF A CURVE TO THE RIGHT LEAVING THE IN 35 R.O.W. SAID CURVE HAVING A CENTRAL ANGLE OF $44^{\circ}59'13''$, A RADIUS OF 153.00 FEET AND WHOSE RADIUS BEARS N $42^{\circ}26'06''$ W;

THENCE WITH THE ARC OF SAID CURVE A DISTANCE OF 121.70 FEET TO A $1''$ SPIKE FOR A CORNER;

THENCE S $25^{\circ}40'24''$ E, A DISTANCE OF 42.97 FEET TO A RR SPIKE IN COUNTY ROAD 313 (GREENFIELD ROAD) FOR A CORNER;

THENCE N $73^{\circ}23'29''$ W, WITH SAID COUNTY ROAD, A DISTANCE OF 400.43 FEET TO A RR SPIKE FOR A CORNER;

THENCE N $29^{\circ}20'42''$ W, WITH THE EAST LINE OF THE W. B. FORD TRACT REFERRED IN VOLUME 433, PAGE 569, DEED RECORDS JOHNSON COUNTY, TEXAS, PASSING SAID FORD TRACT CORNER A DISTANCE OF 424.44 FEET IN ALL A DISTANCE OF 1173.09 FEET TO A SET $1/2''$ IRON ROD FOR A CORNER;

THENCE N $37^{\circ}32'43''$ E, A DISTANCE OF 652.64 FEET TO THE POINT OF BEGINNING AND CONTAINING 19.936 ACRES OF LAND MORE OR LESS.

TRACT 2
12.216 ACRE TRACT

BEING A TRACT OF LAND LOCATED IN THE D. S. HENDERSON SURVEY ABSTRACT 336 JOHNSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND RR SPIKE IN COUNTY ROAD NO. 313 (GREENFIELD ROAD) SAID POINT BEING S $61^{\circ}32'34''$ E, A DISTANCE OF 4635.69 FEET FROM THE ACCEPTED NORTHWEST CORNER OF THE D. S. HENDERSON SURVEY;

THENCE N $75^{\circ}05'42''$ W, WITH COUNTY ROAD NO. 313 (GREENFIELD ROAD) A DISTANCE OF 363.89 FEET TO A SET $1/2''$ IRON ROD AT AN ARBITRARY POINT;

THENCE N $77^{\circ}45'41''$ W, WITH SAID COUNTY ROAD, A DISTANCE OF 833.60 FEET TO A SET RAILROAD SPIKE IN THE ASPHALT ROAD FOR A CORNER;

THENCE N $37^{\circ}32'43''$ E, A DISTANCE OF 973.90 FEET TO A SET $1/2''$ IRON ROD FOR A CORNER;

THENCE S $25^{\circ}40'42''$ E, A DISTANCE OF 1173.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.216 ACRES OF LAND MORE OR LESS.

TRACT 3

BEING A TRACT OF LAND LOCATED IN THE BEALIAN JONES SURVEY ABSTRACT 449, JOHNSON COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND RAILROAD SPIKE IN COUNTY ROAD NO. 313 (GREENFIELD ROAD) SAID POINT BEING S $13^{\circ}41'36''$ E, A DISTANCE OF 2078.51 FEET FROM THE ACCEPTED NORTHWEST CORNER OF THE BEALIAN JONES SURVEY AND THE D. S. HENDERSON SURVEY;

THENCE W $24^{\circ}46'13''$ W, WITH A TRACT OF LAND DESCRIBED IN VOLUME 411, PAGE 411, DEED RECORDS JOHNSON COUNTY, TEXAS, A DISTANCE OF 632.42 FEET TO A SET $1/2''$ IRON ROD FOR A CORNER SAID POINT BEING IN THE NORTHERLY R.O.W. LINE OF THE MCT RAILROAD;

THENCE N $16^{\circ}04'22''$ E, WITH THE EASTERLY R.O.W. LINE OF THE MCT RAILROAD, A DISTANCE OF 162.94 FEET TO A SET $1/2''$ IRON ROD FOR A CORNER AND LEAVING THE R.O.W. LINE;

THENCE S $51^{\circ}16'27''$ E, A DISTANCE OF 975.65 FEET TO A SET RR ROAD SPIKE IN COUNTY ROAD NO. 313 (GREENFIELD ROAD) FOR A CORNER;

THENCE S $70^{\circ}44'03''$ W, WITH COUNTY ROAD NO. 313 (GREENFIELD ROAD) A DISTANCE OF 313.28 FEET TO A FOUND RAILROAD SPIKE AT AN ARBITRARY POINT;

THENCE S $75^{\circ}24'44''$ W, CONTINUING WITH COUNTY ROAD NO. 313 (GREENFIELD ROAD), A DISTANCE OF 239.18 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.699 ACRES OF LAND MORE OR LESS.

BR 1800P60256

BK1800PG0257

WARNING -- THIS IS PART OF THE OFFICIAL RECORD -- DO NOT DESTROY

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

COUNTY CLERK'S MEMO
PORTIONS OF THIS DOCUMENT NOT
LEGIBLE AND/OR REPRODUCIBLE
WHEN RECEIVED, BUT RECORDED
AT CUSTOMER'S REQUEST

PG
DEPUTY

306
FILED FOR RECORD *p. 13*

JUL 13 1994

COUNTY CLERK JOHNSON COUNTY,
BY *PG* DEPUTY

STATE OF TEXAS
COUNTY OF JOHNSON

I hereby certify that this instrument was FILED on the date and at the time stamped herein by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF JOHNSON COUNTY, TEXAS in the Volume and Page as shown herein.



Travis Prine
TRAVIS PRINE County Clerk
Johnson County, Texas

AFTER RECORDING, MAIL TO:

Kelly Hart & Hallman LLP
 201 Main Street, Suite 2500
 Fort Worth, Texas 76102
 Attn: Matthew L. Cooper

PREPARED BY:

Akerman Senterfitt
 One S.E. Third Avenue, 25th Floor
 Miami, FL 33131
 Attn: Richard M. Bezold

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF JOHNSON §

THAT **TURKEY CREEK LANDFILL TX, LP**, a Delaware limited liability partnership ("Grantor"), whose address is 18500 N. Allied Way, Phoenix, Arizona 85054 for good and valuable consideration in hand paid by **IESI TX LANDFILL, L.P.**, a Texas limited partnership ("Grantee"), whose address is 2301 Eagle Parkway, Suite 200, Fort Worth, Texas 76177, the receipt and sufficiency of which is hereby acknowledged; has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee all of Grantor's right, title and interest in and to all that certain tract or parcel of land, together with all improvements and fixtures thereon, lying and being situated in Johnson County, Texas, described as follows, to-wit (the "Property"):

SEE EXHIBIT "A-1" AND EXHIBIT "A-2" ATTACHED HERETO AND MADE A PART HEREOF

For the same consideration, Grantor has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, without warranty, (i) all right, title and interest of the applicable Seller, if any, in and to the rights, benefits, privileges, easements, tenements, hereditaments, riparian rights and appurtenances thereof or in anywise appertaining to the Property, and (ii) all right, title and interest of the applicable Seller, if any, in and to all adjacent streets, alleys, easements, rights-of-way and strips and gores;

This conveyance is made subject only to the matters affecting title to the Property specified in Exhibit "B" attached hereto and made a part hereof and taxes and assessments for the year 2009, from and after the date hereof and subsequent years, which are not yet due and payable.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, forever; and, except as otherwise provided in this paragraph, Grantor does hereby bind itself, and its successors and assigns to WARRANT and FOREVER DEFEND, all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through, or under the Grantor, but not otherwise; provided, however, that any portion of the Property described in Exhibit "A-2" attached hereto that is not included in the portion of the Property described in Exhibit "A-1" attached hereto is conveyed without warranty or covenant of any kind from Grantor,

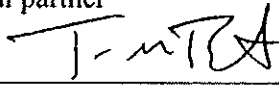
whether statutory, express, implied or otherwise, including, but not limited to, those warranties set forth in Section 5.023 of the Texas Property Code or its successor.

[Remainder of page intentionally blank.]

EXECUTED as of the 4 day of May, 2009.

TURKEY CREEK LANDFILL TX, LP, a
Delaware limited partnership

By: Allied Waste Systems Holdings, Inc., its
general partner

By: 
Tim M. Benter, Vice President

STATE OF ARIZONA §
 §
COUNTY OF MARICOPA §

This instrument was acknowledged before me, on this, the 27 day of APRIL,
2009, by Tim M. Benter, Vice President of Allied Waste Systems Holdings, Inc., a Delaware
corporation, the general partner of TURKEY CREEK LANDFILL TX, LP, a Delaware limited
partnership.


NOTARY PUBLIC, STATE OF ARIZONA



MARSHA K GRIEP
Notary Public - Arizona
Maricopa County
Expires 10/31/09

EXHIBIT A-1DESCRIPTION OF THE PROPERTY (RECORD)

Tract 1:

Being a tract of land located in the D. S. Henderson Survey, Abstract 334 and the Benaiah Jones Survey Abstract No. 449, Johnson County, Texas and being a portion of that tract of land described in Volume 1800, Page 25 and being more particularly described as follows;

Beginning at a ½ inch iron rod in the North line of the D. S. Henderson, Abstract 334, said point being North 60 degrees 10 minutes 47 seconds East, a distance of 3603.06 feet from the Northwest corner of said survey;

Thence South 48 degrees 26 minutes 00 seconds East, a distance of 525.43 feet to a ½ inch iron rod in the West R.O.W. line of I. H. 35 (a 175.00 foot R. O. W.);

Thence South 15 degrees 55 minutes 00 seconds East, with the West R. O. W. line of I. H. 35, a distance of 989.82 feet to a 1/2 inch iron rod;

Thence South 15 degrees 55 minutes 00 seconds East, continuing the West R.O.W. line of I. H. 35 a distance of 602.37 feet to an ½ inch iron rod at an angle point;

Thence South 08 degrees 08 minutes 00 seconds West, a distance of 208.49 feet to a ½ inch iron rod at an angle Point;

Thence South 14 degrees 05 minutes 00 seconds West a distance of 232.50 feet to a 1/2 inch iron rod at an angle point;

Thence South 13 degrees 52 minutes 25 seconds East, a distance of 145.35 feet to a found concrete monument and a point of leaving the I. H. 35 R. O. W.;

Thence South 37 degrees 32 minutes 43 seconds West, a distance of 1642.53 feet to a ½ inch iron rod at an angle point in County Road No. 313 (Greenfield Road);

Thence North 77 degrees 45 minutes 41 seconds West, continuing with said County Road a distance of 225.00 feet to a ½ inch iron rod at an angle point;

Thence North 82 degrees 53 minutes 28 seconds West, a distance of 314.01 feet to a 3/8 inch iron rod at an angle point;

Thence South 67 degrees 46 minutes 55 seconds West, a distance of 477.42 feet to a ½ inch iron rod for an angle point;

Thence South 60 degrees 25 minutes 18 seconds West, a distance of 663.76 feet to a ½ inch iron rod for an angle point; Thence South 70 degrees 44 minutes 01 seconds West, a distance of 247.05 feet to a ½ inch iron rod at an angle point;

Thence North 51 degrees 26 minutes 27 seconds West, leaving said County Road, a distance of 975.66 feet to a ½ inch iron rod in the East Row line of the MKTRR (100 foot ROW) for a corner;

Thence North 18 degrees 04 minutes 22 seconds East, with the East ROW line of the MKTRR, a distance of 820.99 feet to a 3/8 inch iron rod;

Thence North 18 degrees 06 minutes 17 seconds East, a distance of 1014.96 feet to a 1/2 inch iron rod at the Point of a curve to the left having a central angle of 7 degrees 36 minutes 08 seconds a radius of 5799.60 feet and a radius bearing North 72 degrees 39 minutes 28 seconds West;

Thence with the arc of said curve a distance of 769.51 feet to a 1/2 inch iron rod at the point of leaving said curve and the MKTRR Row;

Thence North 60 degrees 10 minutes 47 seconds East, a distance of 2327.28 feet to a point of beginning and containing 219.597 acres of land more or less.

Tract 2:

Being all that certain tract or parcel of land lying in the Daniel S. Henderson Survey, Abstract No. 334, of Johnson County, Texas and being a portion of that certain tract of land conveyed by Harry W. Ellis and Adeline Mae Ford to Wayne A. Coble, Ralph T. Cravens, and Benjamin L. Doskocil according to the Warranty Deed filed of record in Volume 979, Page 670, of the Real Records, Johnson County, Texas and being more particularly described by metes and bounds as follows;

Beginning at an Iron rod found for corner of the Northwest corner of said Cravens Tract and the Southwest corner of a tract of land deeded to Willa Porter recorded in Volume 2738, Page 948, at the Deed Records, Johnson County, Texas and also being the Northwest corner of the tract herein described:

Thence North 70 degrees 07 minutes 17 seconds East, along the North line of said Porter tract and generally along a fence line, a distance of 638.66 feet to an iron rod found for corner;

Thence North 67 degrees 41 minutes 45 seconds East, a distance of 354.48 feet to a point in the approx center of Turkey Creek and being the most Northerly Northeast corner of this tract;

Thence along said Turkey Creek, the following courses and distances:

South 49 degrees 12 minutes 46 seconds East, 200.98 feet;
 South 10 degrees 00 minutes 00 seconds West, 200.00 feet;
 South 62 degrees 21 minutes 14 seconds East, 107.67 feet;
 North 51 degrees 09 minutes 27 seconds East, 220.91 feet;
 South 44 degrees 03 minutes 20 seconds East, 277.00 feet;
 South 54 degrees 58 minutes 36 seconds East, 90.14 feet to a fence corner post for corner, said corner being the Northwest corner of a 18.75 acre Moore tract;

Thence South 30 degrees 12 minutes 05 seconds East, along the West line of said Moore Tract, and generally along a fence line a distance of 945.72 feet an iron rod found for corner;

Thence South 29 degrees 33 minutes 23 seconds East, along the West line of a 15.75 acre Atlas tract and generally along a fence, a distance of 959.28 feet to an iron rod found for corner, said corner being the Southwest corner of said Atlas tract;

Thence North 75 degrees 40 minutes 32 seconds East, along the South line of said Atlas tract, a distance of 349.70 feet to a point for corner in a fence line, said point being in the East line of a 43.70 acre Versteegh tract;

Thence South 29 degrees 36 minutes 54 seconds East, along the West line of said Versteegh tract and generally along a fence line a distance of 1254.57 feet to an iron rod found at a fence corner in the North line of County Road No. 107 and being the Southeast corner of this tract;

Thence South 47 degrees 03 minutes 36 seconds West, a distance of 30.00 feet to a point for a corner in the center of said County Road No. 107 and being in a non tangent curve to the left;

Thence along the right of way line of said County Road 107, the following courses and distances;

Along said curve to the left, whose radius is 838.93 feet, and whose central angle is 46 degrees 25 minutes 27 seconds and having an arc distance of 679.74 feet;

South 88 degrees 45 minutes 15 seconds West, a distance of 1373.69 feet to a point for corner, and being the Southwest corner of this tract, and being a Southeast corner of a 10.00 acre tract surveyed out on September 19, 2002;

Thence North 01 degrees 17 minutes 06 seconds West, along the East line of said 10.00 acre tract, a distance of 556.68 feet to an iron rod set for corner;

Thence North 55 degrees 39 minutes 14 seconds West, with the North line of said 10.00 acre tract, a distance of 481.62 feet to a 2 inch iron stake set for corner;

Thence South 29 degrees 34 minutes 14 seconds West, with a Westerly line of said 10.00 acre tract, a distance of 681.68 feet to an iron rod found for corner in the Easterly line of Interstate Highway 35-W;

Thence along the easterly line of said Highway the following courses and distances;

North 31 degrees 56 minutes 00 seconds West, 265.79 feet;

North 19 degrees 25 minutes 00 seconds West, 164.00 feet;

North 15 degrees 53 minutes 49 seconds West, 399.36 feet to a concrete monument;

Thence North 09 degrees 40 minutes 43 seconds West, a distance of 129.70 feet to an iron pin found for corner, and being the Southwest corner of a 1.72 acre tract of land recorded in Volume 2447, Page 986, of the Deed Records, of Johnson County, Texas;

Thence North 55 degrees 49 minutes 06 seconds West, generally along a fence line and along the South line of said 1.72 acre tract, a distance of 387.95 feet to an iron rod found for a corner;

Thence North 32 degrees 51 minutes 06 seconds West, a distance of 80.62 feet to an iron rod found for a corner;

Thence North 76 degrees 27 minutes 00 seconds West, along the North line of said 1.72 acre tract, and generally along a fence, a distance of 391.47 feet to an iron rod found for corner in the East line of said Interstate Highway 35-W:

Thence North 15 degrees 38 minutes 34 seconds West, 1215.38 feet to the Point of Beginning and containing 115.09 acres of land more or less.

EXHIBIT A-2DESCRIPTION OF THE PROPERTY (SURVEY)

Tract 1:

Being a tract of land located in the D. S. Henderson Survey, Abstract 334 and the Benaiah Jones Survey Abstract No. 449, Johnson County, Texas and being a portion of that tract of land described in Volume 1800, Page 25 and being more particularly described as follows;

Beginning at a ½ inch iron rod in the North line of the D. S. Henderson, Abstract 334, said point being North 60 degrees 10 minutes 47 seconds East, a distance of 3603.06 feet from the Northwest corner of said survey;

Thence South 48 degrees 26 minutes 00 seconds East, a distance of 525.43 feet to a ½ inch iron rod in the West R.O.W. line of I. H. 35 (a 175.00 foot R. O. W.);

Thence South 15 degrees 55 minutes 00 seconds East, with the West R. O. W. line of I. H. 35, a distance of 989.82 feet to a 1/2 inch iron rod;

Thence South 15 degrees 55 minutes 00 seconds East, continuing the West R.O.W. line of I. H. 35 a distance of 602.37 feet to an ½ inch iron rod at an angle point;

Thence South 08 degrees 08 minutes 00 seconds West, a distance of 208.49 feet to a ½ inch iron rod at an angle Point;

Thence South 14 degrees 05 minutes 00 seconds West a distance of 232.50 feet to a 1/2 inch iron rod at an angle point;

Thence South 13 degrees 52 minutes 25 seconds East, a distance of 145.35 feet to a found concrete monument and a point of leaving the I. H. 35 R. O. W.;

Thence South 37 degrees 32 minutes 43 seconds West, a distance of 1642.53 feet to a ½ inch iron rod at an angle point in County Road No. 313 (Greenfield Road);

Thence North 77 degrees 45 minutes 41 seconds West, continuing with said County Road a distance of 225.00 feet to a ½ inch iron rod at an angle point;

Thence North 82 degrees 53 minutes 28 seconds West, a distance of 314.01 feet to a 3/8 inch iron rod at an angle point;

Thence South 67 degrees 46 minutes 55 seconds West, a distance of 477.42 feet to a ½ inch iron rod for an angle point;

Thence South 60 degrees 25 minutes 18 seconds West, a distance of 663.76 feet to a ½ inch iron rod for an angle point; Thence South 70 degrees 44 minutes 01 seconds West, a distance of 247.05 feet to a ½ inch iron rod at an angle point;

Thence North 51 degrees 26 minutes 27 seconds West, leaving said County Road, a distance of 975.66 feet to a ½ inch iron rod in the East Row line of the MKTRR (100 foot ROW) for a corner;

Thence North 18 degrees 04 minutes 22 seconds East, with the East ROW line of the MKTRR, a distance of 820.99 feet to a 3/8 inch iron rod;

Thence North 18 degrees 06 minutes 17 seconds East, a distance of 1014.96 feet to a 1/2 inch iron rod at the Point of a curve to the left having a central angle of 7 degrees 36 minutes 08 seconds a radius of 5799.60 feet and a radius bearing North 72 degrees 39 minutes 28 seconds West;

Thence with the arc of said curve a distance of 769.51 feet to a 1/2 inch iron rod at the point of leaving said curve and the MKTRR Row;

Thence North 60 degrees 10 minutes 47 seconds East, a distance of 2327.28 feet to a point of beginning and containing 219.597 acres of land more or less.

Tract 2:

Being all that certain tract or parcel of land lying in the Daniel S. Henderson Survey, Abstract No. 334, of Johnson County, Texas and being a portion of that certain tract of land conveyed by Harry W. Ellis and Adeline Mae Ford to Wayne A. Coble, Ralph T. Cravens, and Benjamin L. Doskocil according to the Warranty Deed filed of record in Volume 979, Page 670, of the Real Records, Johnson County, Texas and being more particularly described by metes and bounds as follows;

Beginning at an Iron rod found for corner of the Northwest corner of said Cravens Tract and the Southwest corner of a tract of land deeded to Willa Porter recorded in Volume 2738, Page 948, at the Deed Records, Johnson County, Texas and also being the Northwest corner of the tract herein described:

Thence North 70 degrees 07 minutes 17 seconds East, along the North line of said Porter tract and generally along a fence line, a distance of 638.66 feet to an iron rod found for corner;

Thence North 67 degrees 41 minutes 45 seconds East, a distance of 354.48 feet to a point in the approx center of Turkey Creek and being the most Northerly Northeast corner of this tract;

Thence along said Turkey Creek, the following courses and distances:

South 49 degrees 12 minutes 46 seconds East, 200.98 feet;
 South 10 degrees 00 minutes 00 seconds West, 200.00 feet;
 South 62 degrees 21 minutes 14 seconds East, 107.67 feet;
 North 51 degrees 09 minutes 27 seconds East, 220.91 feet;
 South 44 degrees 03 minutes 20 seconds East, 277.00 feet;
 South 54 degrees 58 minutes 36 seconds East, 90.14 feet to a fence corner post for corner, said corner being the Northwest corner of a 18.75 acre Moore tract;

Thence South 30 degrees 12 minutes 05 seconds East, along the West line of said Moore Tract, and generally along a fence line a distance of 945.72 feet an iron rod found for corner;

Thence South 29 degrees 33 minutes 23 seconds East, along the West line of a 15.75 acre Atlas tract and generally along a fence, a distance of 959.28 feet to an iron rod found for corner, said corner being the Southwest corner of said Atlas tract;

Thence North 75 degrees 40 minutes 32 seconds East, along the South line of said Atlas tract, a distance of 349.70 feet to a point for corner in a fence line, said point being in the East line of a 43.70 acre Versteegh tract;

Thence South 29 degrees 36 minutes 54 seconds East, along the West line of said Versteegh tract and generally along a fence line a distance of 1294.57 feet to an iron rod found at a fence corner in the North line of County Road No. 107 and being the Southeast corner of this tract;

Thence South 47 degrees 03 minutes 36 seconds West, a distance of 30.00 feet to a point for a corner in the center of said County Road No. 107 and being in a non tangent curve to the left;

Thence along the right of way line of said County Road 107, the following courses and distances;

Along said curve to the left, whose radius is 838.93 feet, and whose central angle is 46 degrees 25 minutes 27 seconds and having an arc distance of 679.74 feet;

South 88 degrees 45 minutes 15 seconds West, a distance of 1373.69 feet to a point for corner, and being the Southwest corner of this tract, and being a Southeast corner of a 10.00 acre tract surveyed out on September 19, 2002;

Thence North 01 degrees 17 minutes 06 seconds West, along the East line of said 10.00 acre tract, a distance of 556.68 feet to an iron rod set for corner;

Thence North 55 degrees 39 minutes 14 seconds West, with the North line of said 10.00 acre tract, a distance of 481.62 feet to a 2 inch iron stake set for corner;

Thence South 29 degrees 34 minutes 14 seconds West, with a Westerly line of said 10.00 acre tract, a distance of 691.68 feet to an iron rod found for corner in the Easterly line of Interstate Highway 35-W;

Thence along the easterly line of said Highway the following courses and distances;

North 31 degrees 56 minutes 00 seconds West, 265.79 feet;

North 19 degrees 25 minutes 00 seconds West, 164.00 feet;

North 15 degrees 53 minutes 49 seconds West, 399.36 feet to a concrete monument;

Thence North 09 degrees 40 minutes 43 seconds West, a distance of 129.70 feet to an iron pin found for corner, and being the Southwest corner of a 1.72 acre tract of land recorded in Volume 2447, Page 986, of the Deed Records, of Johnson County, Texas;

Thence North 59 degrees 49 minutes 06 seconds West, generally along a fence line and along the South line of said 1.72 acre tract, a distance of 387.95 feet to an iron rod found for a corner;

Thence North 32 degrees 51 minutes 06 seconds West, a distance of 80.62 feet to an iron rod found for a corner;

Thence North 76 degrees 27 minutes 00 seconds West, along the North line of said 1.72 acre tract, and generally along a fence, a distance of 391.47 feet to an iron rod found for corner in the East line of said Interstate Highway 35-W:

Thence North 15 degrees 38 minutes 34 seconds West, 1215.38 feet to the Point of Beginning and containing 115.09 acres of land more or less.

EXHIBIT B

1. Easement from Louise Powers to Sinclair Pipe Line Co. by instrument dated 1/16/56, filed 3/6/56, recorded in Volume 407, Page 1, Real Property Records, Johnson County, Texas. Affects Tract 2.
2. Easement from Turkey Creek Landfill Tx, LP to United Electric Cooperative Services, Inc. by instrument dated 4/8/02, filed 4/26/02, recorded in Volume 2818, Page 341, Real Property Records, Johnson County, Texas. Affects Tract 1.
3. Easement from Turkey Creek Landfill Tx, LP to Southwestern Gas Pipeline, Inc. by instrument dated 6/27/05, filed 8/2/05, recorded in Volume 3589, Page 736, Real Property Records, Johnson County, Texas, as shown on survey dated 1/26/09 prepared by Bock & Clark, Corp. Affects Tract 2.
4. Easement from Turkey Creek Landfill TX, LP to J-W Gathering Company by instrument dated 11/2/07, filed 12/6/07, recorded in Volume 4247, Page 148, Real Property Records, Johnson County, Texas, as shown on survey dated 1/26/09 prepared by Bock & Clark Corp. Affects Tract 2.
5. Easement from J. C. Rayburne and wife Lillian Pauline Rayburne to Sinclair Pipeline Company by instrument dated 12/2/55, filed 12/14/55, recorded in Volume 406, Page 217, Real Property Records, Johnson County, Texas, as shown on survey dated 1/26/09 prepared by Bock & Clark Corp. Affects Tract 1.
6. Easement from Supreme Waste Control, Inc. to Johnson County Rural Water Supply Corporation by instrument dated 11/20/85, filed 11/25/85, recorded in Volume 1154, Page 171, Real Property Records, Johnson County, Texas. Affects Tract 1.
7. Easement from Emma Catherine Lightfoot et al to Sinclair Pipe Line Company by instrument dated 2/14/56, filed 3/19/56, recorded in Volume 407, Page 144, Real Property Records, Johnson County, Texas, as shown on survey dated 1/26/09 prepared by Bock & Clark Corp. Affects Tract 1.
8. Power Line Easement dated 2/12/75 executed by Lieta Lightfoot et al to J. C. Rayburne et al dated 2-10-76 recorded in Volume 682, Page 777, Real Property Records, Parker County, Texas, as shown on survey dated 1/26/09 prepared by Bock & Clark Corp. Affects Tract 1.
9. Easement from C.E. Neff and wife to The Texas Pipe Line Company by instrument dated 6/20/49, recorded in Volume 369, Page 630, Real Property Records, Johnson County, Texas. Affects Tract 1.
10. Easement from C.E. Neff and wife to The Sinclair Pipe Line Co. by instrument dated 12-5-55, recorded in Volume 406, Page 234, Real Property Records, Johnson County, Texas. Affects Tract 1.
11. Easement from C.E. Neff and wife to Johnson County Water Supply Corporation by instrument dated 11/25/66 recorded in Volume 497, Page 475, Real Property Records, Johnson County, Texas. Affects Tract 1.
12. Easement from F W Coleman et al to State of Texas by instrument dated 8/22/63, recorded in Volume 462, Page 312, Real Property Records, Johnson County, Texas. Affects Tract 1.
13. Easement from Maggle Ingle et al to Sinclair Pipe Line Co. by instrument dated 12-5-55, filed 1-3-56, recorded in Volume 406, Page 242, Real Property Records, Johnson County, Texas, as shown on survey dated 1/26/09 prepared by Bock & Clark Corp. Affects Tract 1.
14. Easement from Kenneth R. Jahna and wife to Johnson County Water Supply Corporation by instrument dated 8/10/73 filed 9/20/73, recorded in Volume 619, Page 173, Real Property Records, Johnson County, Texas. Affects Tract 1.
15. Easement to Texas Pipeline Co. by instrument dated 6/22/49, filed 10/27/49, recorded in Volume 370, Page 412, Real Property Records, Johnson County, Texas. Affects Tract 1.

(M2806658;1)(Deed)
[Fort Worth]

16. Easement to Johnson County Water Supply Corporation by instrument dated 3/15/79, recorded in Volume 793, Page 143, Real Property Records, Johnson County, Texas. Affects Tract 1
17. Easement by instrument dated 8/24/49, recorded in Volume 369, Page 62 and Volume 369, Page 88, Real Property Records, Johnson County, Texas, as shown on survey dated 1/26/09 prepared by Bock & Clark Corp. Affects Tract 1.
18. 1/2 of the oil, gas and other minerals, royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument dated 1/5/84, filed 1/16/84, executed by Harry Ells and wife Adaline Mae Ford to Wayne A. Coble, Ralph T. Cravens and Benjamin L. Duskocil, recorded in Volume 979, Page 670, Real Property Records, Johnson County, Texas. The Company makes no representation as to the present ownership of this interest. Affects Tract 2.
19. An oil, gas and mineral lease dated 1/22/05, filed 3/10/05, executed by Turkey Creek Landfill Tx LP as lessor, in favor of Stroud Energy Ltd. as lessee, a memorandum of which is recorded in Volume 3488, Page 291, Real Property Records, Johnson County, Texas. Affects Tract 2.
20. Assignment and Bill of Sale dated 10/13/05 filed 11/18/05 from Stroud Energy Ltd. To Bengal Energy LP recorded in Volume 3673, Page 731, Real Property Records, Johnson County, Texas. Affects Tract 2.
21. Designation of Unit dated 10/13/05 filed 11/18/05 recorded in Volume 3673, Page 745, Real Property Records, Johnson County, Texas. Affects Tract 2.
22. 1/2 of the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument dated 8/29/85, filed 10/1/85, recorded in Volume 1142, Page 557, Real Property Records, Johnson County, Texas. The Company makes no representation as to the present ownership of this interest. Affects Tract 1.
23. Terms, conditions and stipulations in that certain unrecorded Landfill Agreement dated 9/19/02, by and between Thurman Transportation, Inc., a Texas corporation, and Turkey Creek Landfill TX, L.P., a Delaware corporation. Affects Tract 2.
24. Vendor's Lien retained and the reservation of all oil, gas and other mineral rights in Deed dated 9/20/94 filed 9/23/94, recorded in Volume 1819, Page 61, re-recorded in Volume 1850, Page 553, Real Property Records, Johnson County, Texas, from Supreme Waste Control, Inc. to Laidlaw Waste Systems (Houston), Inc., additionally secured by Deed of Trust recorded in Volume 1819, Page 68, Real Property Records Johnson County, Texas. Texas. Affects Tract 1.
25. The following matters disclosed by the ALTA/ACSM Land Title Survey dated January 26, 2009, last revised March 5, 2009, by Bock & Clark, B&C Project No. 200801745-18:
 - a. Subject's fence encroaches into the R/W by 28.7' +/-

WARNING --- THIS IS PART OF THE OFFICIAL RECORD
DO NOT DESTROY

Filed For Record 2:41 AM PM

MAY 06 2009

County Clerk Johnson County

By mc Deputy

ANY PROVISION HEREIN WHICH
RESTRICTS THE SALE, RENTAL
OR USE OF THE DESCRIBED REAL
PROPERTY BECAUSE OF COLOR
OR RACE IS INVALID AND
UNENFORCEABLE UNDER FEDERAL LAW



STATE OF TEXAS
COUNTY OF JOHNSON

that I hereby certify this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF JOHNSON COUNTY, TEXAS in the Volume and Page as shown hereon.


CURTIS H. DOUGLAS, COUNTY CLERK
JOHNSON COUNTY, TEXAS

MAINTENANCE AND OPERATION PLAN

This appendix summarizes the various maintenance and operation plans that will govern the construction and maintenance of the Tributaries A and B to Turkey Creek and the maintenance and operation requirements for the overall stormwater management system at the Turkey Creek Landfill. The organization with regulatory authority at the site is Texas Commission on Environmental Quality (TCEQ) and Johnson County (County). The TCEQ has inspection and enforcement authority at the site to ensure that the overall landfill stormwater management system is constructed and maintained as designed.

Information about each entity's responsibilities is summarized below.

- Johnson County. The County has inspection and enforcement authority at the site under a variety of regulatory programs. The County verifies that the project is developed consistent with community floodplain requirements, and this CLOMR.
- TCEQ. The TCEQ will issue the operating permit for the landfill expansion. The TCEQ has permitting, inspection, and enforcement authority over the site to ensure the landfill is developed and maintained to meet all the requirements of the permit and Texas Administrative Code Chapter 330. The CLOMR will be included in the TCEQ operating permit for the expanded site. Therefore, the TCEQ is an organization that has regulatory authority over the site to ensure that the site is developed and maintained consistent with the various permit requirements.

In addition to these plans, erosion control measures will be installed within the relocated Tributary A and B to Turkey Creek to mitigate erosive velocities at phases during and after construction. These plans are included in Appendix B.3, Attachment 1 of this CLOMR. Because the pond areas in Tributaries A and B to Turkey Creek are to be used for flood storage, these areas will have dedicated flood control easements prior to submitting a Letter of Map Revision for this project. The easements will include access roads which will allow for adequate maintenance and equipment access for Tributaries A and B.

The entity responsible for ensuring that the maintenance activities are accomplished is the Texas Regional Landfill Company, LP. TCEQ and Johnson County have oversight and enforcement authority of the required maintenance activities. However, Johnson County is not responsible for routine maintenance, repairs, or inspections.

Johnson County has the authority to complete repairs to damaged or deficient elements of Tributaries A and B if repairs are not made within the timelines established in this plan. Repairs done by Johnson County will be completed at the expense of Texas Regional Landfill Company, LP.

Stormwater System Maintenance Plan

In accordance with Title 30 TAC §330.305(e)(1), Turkey Creek Landfill will restore and repair constructed stormwater systems such as channels, drainage swales, and chutes in the event of wash-out or failure from extreme storm events. Stormwater BMPs installed during all phases of landfill development will also be replaced or repaired in the event of failure. Excessive sediment (defined as 12-inches) will be removed, as needed, so that the drainage structures (i.e., perimeter channels and detention ponds) function as designed. Site inspections by landfill personnel will be performed weekly or within 72 hours after any significant rainfall event (e.g., a rainfall event with 0.5 inch or more precipitation). Documentation of the inspection will be included in the Site Operating Record.

The following items will be evaluated during the inspections:

- Erosion of daily and intermediate cover areas, final cover areas, perimeter ditches, chutes, swales, detention ponds, berms, and other drainage features.
- Settlement of intermediate cover areas, final cover areas, perimeter ditches, chutes, swales, and other drainage features.
- Silt and sediment build-up in perimeter ditches, chutes, swales, and detention ponds. Removed silt and sediment can be used as daily cover or to replenish intermediate cover soils.
- Obstructions in drainage features such as culverts, gabions, and spillways.
- Presence of erosion or sediment discharge at offsite stormwater discharge locations.
- Presence of sediment discharges along the site boundary in areas which have been disturbed by site activities.
- Presence of erosion over the bed and banks of the unnamed tributary of Turkey Creek. If any erosion problems are noted, necessary actions will be implemented to repair damaged locations.

Maintenance activities of Tributaries A and B will be performed to correct damaged or deficient items noted during the site inspections. Corrective actions will begin within 7 calendar days of detection or as soon as safely possible after the inspection. The time frame for correction of damaged or deficient items will vary based on weather and ground conditions. Adequate access will be provided through the

landfills perimeter roads to perform maintenance activities, landfill roads will be maintained in accordance with the site operating plan.

Maintenance activities of Tributaries A and B will consist of the following, as needed:

- Mowing will be done at least every 60 days during the growing season to ensure that grass is maintained at a maximum height of 12 inches.
- Placement, grading, and stabilization of additional soils in eroded areas or in areas which have settled. Settlements and slope failures will be repaired with benching and lift compaction. Once the accumulated sediment reaches 12 inches, it will be removed. Eroded areas will be refilled and compacted.
- Replacement or repair of riprap or other surface lining materials.
- Placement of additional riprap in eroded areas.
- Removal of obstructions from drainage features.
- Removal of silt and sediment build-up from drainage features.
- Drainage features such as culverts, head walls, and gabions will be repaired as needed to maintain hydraulic efficiency.
- Repairs to erosion and sedimentation controls.
- Installation of additional erosion and sedimentation controls.