

CENTRAL TEXAS COUNCIL OF GOVERNMENTS CENTRAL TEXAS COUNCIL OF GOVERNMENTS



CLOSED LANDFILL INVENTORY

Representing: **Bell**, Coryell, Hamilton, Lampasas, Milam, Mills, San
Saba Counties



A VOLUNTARY ASSOCIATION OF LOCAL GOVERNMENTS
CENTRAL TEXAS COUNCIL OF GOVERNMENTS
PLANNING AND REGIONAL SERVICES

550 EAST 2ND AVENUE
PHONE: (254) 933-7075 FAX: (254) 939-0885
P.O. BOX 729

BELTON, TEXAS 76513-0729

Resolution 023-04-2002

A Resolution of the Central Texas Council of Governments authorizing the approval of the Closed Landfill Inventory and the adoption of said Inventory as an amendment to the Regional Solid Waste Management Plan

Whereas, the Central Texas Council of Governments was designated by the State of Texas with the responsibility to prepare the Closed Landfill Inventory for its Region encompassing the counties of Bell, Coryell, Hamilton, Lampasas, Milam, Mills, and San Saba, pursuant to §363.064(a)(10) of the Texas Health & Safety Code, as amended by Senate Bill 1447, 76th Legislature, and

Whereas, the Central Texas Council of Governments published due notice in the newspapers of record, throughout its seven county region, prior to the Public Hearing for the Closed Landfill Inventory, which was held on May 25, 2001, and

Whereas, the Central Texas Council of Governments has completed the recommend revisions to the Inventory as submitted to the Central Texas Council of Governments by the Texas Natural Resource Conservation Commission in December of 2001, and

Whereas, the Solid Waste Advisory Committee of the Central Texas Council of Governments has approved and adopted the Inventory in a meeting open to the public on April 19, 2002, now

Therefore Be It Resolved, that the Executive Committee, the governing body of the Central Texas Council of Governments does approve and adopt the Closed Landfill Inventory as an amendment to the Regional Solid Waste Management Plan and authorizes its submittal to the Texas Natural Resource Conservation Commission for approval.

Passed and adopted this 25th day of April, 2002 by the Executive Committee of the Central Texas Council of Governments.

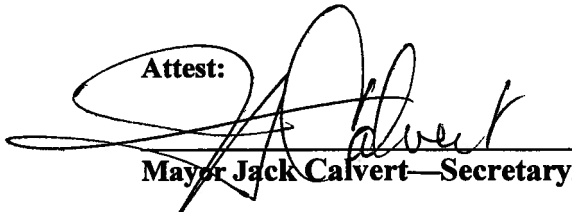


Judge Harlen Barker

Judge Harlen Barker, President—
Executive Committee

April 25, 2002

Date

Attest:


Mayor Jack Calvert—Secretary/Treasurer

CENTRAL TEXAS COUNCIL OF GOVERNMENTS
CLOSED LANDFILL INVENTORY

According to the Texas Natural Resource Conservation Commission's (TNRCC) Municipal Solid Waste regulations (31 TAC §330.951), the definition of a closed municipal solid waste landfill is as follows:

A discreet area of land or an excavation that has received only municipal solid waste or municipal solid waste combined with other solid wastes, including but not limited to construction/demolition waste, commercial solid waste, nonhazardous sludge, conditionally exempt small-quantity generator hazardous waste, and industrial solid waste, and that is not a land application unit, surface impoundment, injection well, or waste pit as those terms are now defined by 40 CFR §257.2 (EPA Regulations).

Under §363.064(a)(10) of the Texas Health & Safety Code, as amended by Senate Bill 1447, 76th Texas Legislature, all Councils of Governments are required to compile an inventory of closed municipal solid waste landfill units. Per the statutory provisions, the inventory is to include:

- a. landfill units no longer in operation
- b. the exact boundaries of each former landfill unit or, if the exact boundaries are not known, the best approximation of each unit's boundaries
- c. a map showing the approximate boundaries of each former landfill unit, if the exact boundaries are not known
- d. the current owners of the land on which the former landfill units were located
- e. the current use of the land

In compiling this inventory, the Central Texas Council of Governments (CTCOG) entered into a partnership with the Bell County Network for Education Technology (BellNET) in December of 1999. Working with a grant from the TNRCC and a School-to-Work grant from the Texas Workforce Commission, CTCOG and BellNET set out to establish a multidisciplinary approach to completing the inventory with a goal of finishing the project within the fiscal year 2002 timeframe.

Students from area colleges and universities were recruited by BellNET in June of 2000 to assist in gathering and organizing the landfill data. In exchange for their work, each student was awarded a small scholarship to the institution of their choice. Initial data collection was completed in November of 2000.

The data collection was analyzed and reviewed by CTCOG staff. Based on this data (written and verbal directions, previously drawn maps, deeds, inspection records, etc.), a map depicting each landfill and its boundaries was produced using DOQQ photographs. The site history, ownership information, current land use, and a narrative description of the location of each landfill were also included in the inventory. All maps and supporting information are derived from the best available public records—many times they are only estimations.

No claims are made as to the positional accuracy or completeness of the data or its suitability for a particular purpose. The minimum required components of the inventory, as required by the TNRCC, are listed below.

Once the initial compilation of the Inventory was complete, public meetings were held on May 10, 2001 at the Commissioner's Courtroom in Belton, Texas and on May 17, 2001 at the Commissioner's Courtroom in Lampasas, Texas. No public comment was received at either meeting. A public hearing was held on May 25, 2001 at the Commissioner's Courtroom in Belton, Texas to allow the public one final time of viewing and commenting on the Inventory before being adopted by CTCOG's governing body. No public comment was received.

The initial draft was sent to the TNRCC for comments in June of 2001, and the agency provided a list of recommended changes by December of the same year. These suggested changes were minor in nature and dealt primarily with formatting issues. The final revision of the inventory was complete in April of 2002.

The Solid Waste Advisory Committee met on April 19, 2002 and approved the Inventory and formally adopted the document as an amendment to the Regional Solid Waste Management Plan. The Executive Committee of CTCOG officially accepted this approval on April 25, 2002.

The Inventory is divided by county, however, Fort Hood is further divided into its own section despite the fact that it falls within Bell and Coryell counties. All landfills are in numerical order with the unpermitted sites listed first. Unpermitted sites are identified with a "U" number while permitted sites are identified by a "P" number. Reference attachments are listed chronologically. Please note that some of the Fort Hood site attachments are referenced by three different numbering systems—TNRCC, the Resource Conservation and Recover Act (RCRA), and Fort Hood's own numerical assignment. For example, site U2568 is a TNRCC designation, but the RCRA and Fort Hood numbers for this site are FH-003 and Site 4, respectively. In keeping with the rest of the Inventory, Fort Hood sites were arranged according to the TNRCC designation.

Two Appendices are included in the Inventory. Appendix I consists of landfill sites that were removed from the Inventory. Each of these sites is an unpermitted site with a corresponding permit number. In other words, both a permitted site and an unpermitted site had been found to encompass the same land area. For example, site U441 was found to be the same site as P1139. In all cases, the unpermitted site was removed. The corresponding permitted site remains listed in the appropriate county.

Appendix II lists landfill sites that were added to the Inventory. These sites have not been documented by the TNRCC and were discovered during the research for this Inventory. Each of these additional sites is located within Fort Hood. A temporary number has been assigned to each site. This number consists of the State assigned COG number (CTCOG is 23), T (for Temporary), and a three digit unit number beginning with 001.

7.0 MINIMUM REQUIRED COMPONENTS OF THE INVENTORY

For the most part, much of the minimum requirements of the closed landfill inventory can probably be completed without additional research (i.e., in most cases, the information collected thus far and provided to the COGs is sufficient to satisfy the basic inventory provisions of the statute, and only needs to be organized and presented in a consistent format). Further, although some of the COGs may intend to utilize geographic information systems, computer aided drawing, and supplemental databases, it is important to note that the approach to completing the inventory does not have to be highly technical or demand significant additional resources.

However, it should also be noted that taking a minimal approach may have drawbacks in the long run, particularly in regard to obtaining sufficient information to fulfill the statutory requirements beyond completing the inventory itself (i.e., notification of certain property owners). In addition, for those sites where little is known or the information available is not verified, the COG may need to consider whether further research or even a site investigation are warranted.

For permitted landfills, the inventory should include all of the landfill units at the permitted facility on one site information form, rather than listing each unit individually. In addition, the landfill units at a permitted landfill facility should not be included on the inventory until the permit for the entire facility has expired or been revoked. Prior to that time, there may be a possibility that the facility could reopen and, in any event, the facility would still be monitored by TNRCC as a permitted site.

Each COG must also evaluate the unpermitted sites listed on the statewide inventory. The COGs may exclude from the regional inventory those sites for which sufficient information is available to positively determine that the site never existed, all materials have subsequently been removed, or the site was misidentified as a closed landfill. All other sites from the statewide inventory should be reflected in the regional inventories.

However, if desired, the COG may list those sites that have been confirmed as closed landfills separate from sites that are suspected but have not been confirmed. This can be accomplished by including the high-confidence sites in one section and lower-confidence sites in another section. In both cases, the site information forms should provide information on the confidence that the COG has in the site designation and location.

Along with the completed inventory, the COG should provide TNRCC with a list of sites from the statewide inventory that were excluded from the regional inventory. For each site, the COG should provide information on why the site was excluded. This information can be submitted using the Database Revision Form provided in Appendix E.

TNRCC will provide the COGs with additional information on recent permit expirations and applications to develop over any closed landfill sites not included in the existing inventory database. These additional sites should be included in the regional inventories. Further, if a COG becomes aware of any additional closed landfill sites through its own research or investigation, the COG must determine the validity of the information and include such additional sites as appropriate in the regional inventory.

The grant contract specifies the mandatory components that must be included in the inventory to satisfy the statutory requirements. These components are outlined below, and explained further in the following subsections.

- Where known, a description of the exact boundaries of former landfill units
- If exact boundaries are not known, a description of the approximate boundaries of the former landfill units
- Where the exact boundaries are not known, include a map of the approximate boundaries of the former landfill units
- If known, the current owners of the land on which the former landfill unit is located
- If known, the current use of the land

7.1 Exact Landfill Unit Boundaries

Where known, the exact location and boundaries of the landfill units must be described. The COG will need to determine whether enough information is available to certify that the exact boundaries have been identified for a particular site. Several instances where it is recommended that the COG consider accepting the information as sufficient to describe the exact boundaries include:

- a. A certified metes and bounds description which has been publicly filed is available, such as found in an affidavit of closure;
- b. Certified engineering drawings and/or other certified surveys of the final landfill site are available in the records; or,
- c. A new survey has been conducted by the COG or other entity, preferably based on actual geographic coordinates.

7.2 Approximate Landfill Unit Boundaries

Where exact landfill unit boundaries are not known, a description of the approximate boundaries must be provided. This description should include as much information as is available to describe the location and boundaries of the site. Reference should be made to major physical and geographic features in relation to the site location. To the extent possible, it is recommended, but not required, that reference be made to the applicable basic land unit numbers (i.e., block, tract, parcel, etc.), as well as any available information on the geographic coordinates of the site and the landfill boundaries.

7.3 Maps

Where the exact location and boundaries are not known, the inventory must include a map of the approximate location and boundaries of the landfill unit. For consistency and overall usefulness of the inventory, it is recommended, but not required, that the inventory also include maps of those landfills where the exact boundaries are known.

In depicting approximate boundaries, showing only the approximate point location of a closed landfill site will not satisfy the mapping requirement. By the same token, nor will an overly broad boundary approximation, such as an entire quadrant of a county, be acceptable (i.e., the approximate boundaries indicated on a map must correlate as much as reasonably possible to the available information on the location of the site). In addition, as directed in the grant contract, all maps should show closed landfill boundaries in relation to identifying physical or geographic features, such as roads, waterways and lakes, rail lines, and/or other features.

For some of the sites, a detailed map of the landfill, based on engineering drawings or a survey, may already be available and can be included in the inventory. In most cases, however, a new map will need to be prepared.

Because a primary purpose of the inventory is to assist landowners and potential property buyers, public officials, and others in locating these sites, the COG should consider indicating on the maps the boundaries and identification numbers of affected land tracts (i.e., basic land units), to the extent that this information is available. Especially where the exact boundaries of a landfill are not known, indicating the basic land unit boundaries and unit numbers on the map may be one way to depict the approximate boundaries of the landfill in a manner that will fulfill the statutory requirement (an example map, using this approach, is provided in Appendix B).

Also, remember that even if exact boundaries are known, such as through a metes and bounds description, it may be difficult to exactly represent that site on a map. For instance, if the beginning geographic coordinates of the survey cannot be verified, the COG may not be able to present the map as "exact," even though a description of the exact boundary is available. For this reason, the maps should be considered as supplemental to the location and boundary descriptions in the inventory (e.g., metes and bounds description). The determination of whether the "exact" boundary of the landfill is known should be based on the location and boundary description and not on the accuracy of a map of the site.

For landfills where boundary lines are available, but cannot be accurately placed on a map, the COG should consider including a dotted line or other method to indicate that the position of those boundary lines is considered accurate within a certain distance or radius. Similarly, where boundary lines are not available, the COG should consider using this approach to indicate the approximate location and boundaries of the site, in relation to geographic and physical features and the boundaries of applicable basic land units (see Appendix B).

In addition to the boundary and geographic information provided on the map, it is important that the maps provide basic reference information. It is recommended that each map include the following or similar information:

- a. Title block, identifying county and landfill number;
- b. Block with map scale, orientation, COG name, and date of preparation;
- c. Sufficient geographic and physical reference features (i.e., roads, streams, political boundaries, etc.);
- c. Closed landfill unit boundaries (note as exact or approximate); and,
- d. Applicable basic land units, such as land tracts and identification numbers (as available).

It is also recommended that explanatory comments and a disclaimer be placed on each map, especially for those showing approximate boundaries. The disclaimer should note the legislative requirements.

If it has been determined that all materials were removed from the site, or that a landfill never existed in that location, it is not necessary to provide a map. However, the inventory form, as described in Section 8.0, should still be provided, stating as such.

7.4 Ownership Information

Per the grant contract, land ownership information will not be required by TNRCC, if this information is not available. However, if this information is not compiled for the inventory, the COG will later need to determine the owners of those tracts where the exact landfill boundaries are available, in order to fulfill the notification requirements of the statute.

In order to find ownership information, the COG will need to first determine the applicable land unit or units corresponding to the geographic coordinates of the site. For each basic land unit, the county appraisal records and/or deed records should show ownership information.

7.5 Land Use

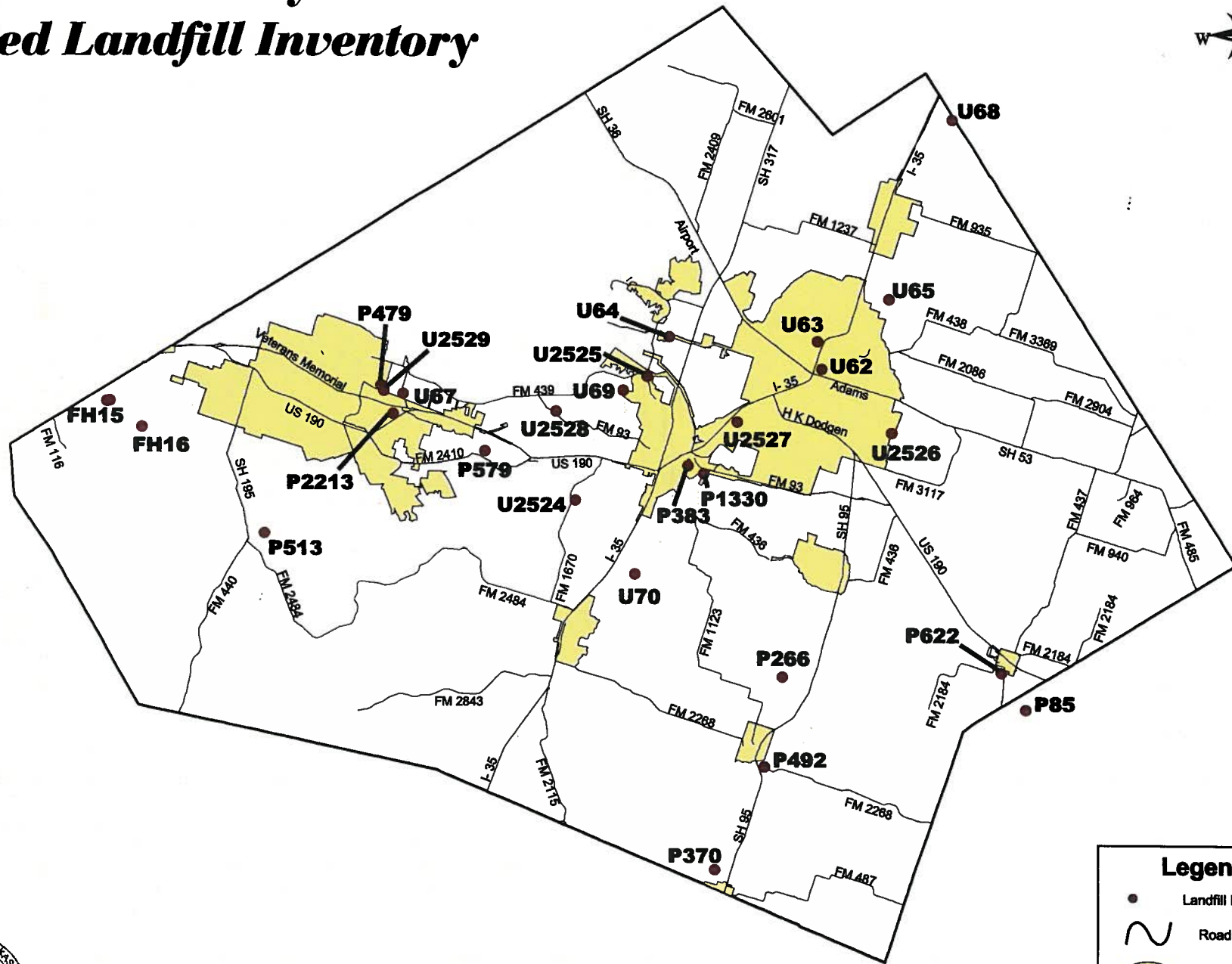
Per the grant contract, land use information will not be required by TNRCC, if this information is not available. However, land use information will be important to any subsequent work by the COG, local governments, or TNRCC to assess the risks posed by particular sites, based on land use.

TNRCC has not established standards for describing the land use for a site. To the extent possible, it may be best to provide land use information in descriptive terms. Several examples are provided below:

- commercial property with two storage warehouses located on the landfill site
- residential neighborhood with approximately 20 houses on the landfill site
- agricultural land, with no structures nearby

The extent to which a full description can be provided depends upon available information. If the COG or its consultant visually inspects the landfill site, or if analysis is done using aerial photos, then more descriptive information may be available. On the other hand, information derived from a local zoning map or land use plan may include reference to the land use designation of the area (i.e., commercial, industrial, residential, etc.).

Bell County Closed Landfill Inventory



Legend	
●	Landfill Location
~	Roads
■	City Limits



Disclaimer: Map Produced by CTCOG in response to provisions of Senate Bill 1447, 76th Legislature of the State of Texas, as part of the Closed and Abandoned Municipal Solid Waste Landfill inventory. This Map indicates an estimated location only, as derived from best available public records. No claims are made as to the positional accuracy or completeness of the data or its suitability for a particular purpose.

Closed Landfill Inventory
Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number U62

Location and Boundary

COG Confidence Level 75%
Latitude 31.0105548 N
Longitude 97.393524 W
Narrative Location Description 415 31st Street in Temple under Temple High School; West of High
School site
Boundary Description See Deed
Basic Land Units Track 020702, Block 1002 and 1003

Land Use

Institutional – School

Ownership Information

Current Property Owner(s) Temple ISD
Current Owner(s) Address P.O. Box 788; Temple, TX 76503-0788
Dates of Ownership Unknown
Land Unit 11 - 11.5 acres

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation 1930 – 1952
Enforcement History Unknown
Types of Waste Disposed Industrial Waste, Trees, Brush

Reference Attachments

Special Warranty Deed April 1977
Handwritten notes—10/13/1992
Texas Water Commission Landfill Inventory-2 reports

10/15/12

Ron Byrd - DUT #3

Temple City Unit
① Temple High School U62

- HS on top

- Burn ~~top~~ Pit

6253 x 800 ft

5.5 to 17 ft deep

Municipal waste

HS pier + beam

Closed in 1951-52

Open late 30's

② West of HS site U63

1500 x 2000 ft

Depth

5/52 - to 5 or 6 years

Close '57

Mostly pasture land

Early Days Tractor Bldg
- steel - Sheet metal

Burn Pit

Mostly municipal

U62

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date:

Name of Site 1) Temple 2)

County Bell District 03 River Basin I

Location Under Temple H.S.

Latitude _____ Longitude _____ Code II

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5" Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner City of Temple Code C #B
Address _____
Telephone _____

Dates of Operation 1930's to 1952 Size 11.5 acres/cu. yds
(circle one)

Parties That Utilized Site Temple

Type of Waste: Household Y/N Construction/Demolition _____ Industrial _____
Y/N Y/N Y/N

Tires Agricultural _____ Brush _____ Other _____
Y/N Y/N Y/N

Hazardous Waste: Unlikely _____ Y/N
Probable _____ Y/N
Certain _____ Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

Y/N
Y/N

Maximum Depth

17 Feet

Code

6 B

Constructed Liner

Y/N If yes, describe

CLOSURE AND POST-CLOSURE

Final Cover

Y/N

Minimum Thickness

Code

V

Current Use

VI

Buried Utilities

Y/N

Structures

Y/N

Adjacent Structures
(within 3000 ft)

Y/N

Petroleum/Product Pipelines

Y/N

Wells (oil or water)

Y/N

Status

Dates of Observation

Seeps

Y/N

Gas

Y/N

Vegetative Distress

Y/N

Cover Erosion

Y/N

Ponded Water

Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3

Site Name:

^{30-50's}
Temple, Bell

Date:

OTHER INFORMATION

Aquifer Recharge Zone

Y/N

Aquifer

Inspection Record

Comments

^{Reported}
~~Identified~~ by Dist. 3 staff; Burn
pit; no methane problems
thus far; primarily municipal
waste

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

- II
- a) from inspection
 - b) from map
 - c) reported

- III
- a) certain
 - b) reported
 - c) speculated

- IV
- a) certain
 - b) reported
 - c) speculated

- V
- a) certain
 - b) reported
 - c) speculated

- VI
- a) residential
 - b) commercial
 - c) industrial
 - d) park/recreation
 - e) school/hospital
 - f) agricultural
 - g) road
 - h) municipal
 - i) no activity

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date: _____

Name of Site 1) Temple 2) _____

County Bell District 03 River Basin I

Location West of Temple H.S. in city limits

Latitude _____ Longitude _____ Code II

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5' Topographic Series Name _____
Num. Code _____

RATIONAL INFORMATION

Current Property Owner City of Temple Code CT
Address _____
Telephone _____

Dates of Operation 1951 to 1957 Size 69 acres/cu. yds
(circle one)

Parties That Utilized Site Temple

Type of Waste: Household Y/N Construction/Demolition Y/N Industrial Y/N

Tires Y/N Agricultural Y/N Brush Y/N Other _____

Hazardous Waste: Unlikely Y/N
Probable Y/N
Certain Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

Y/N
Y/N

Maximum Depth _____ Feet

Code IV

Constructed Liner Y/N If yes, describe _____

CLOSURE AND POST-CLOSURE

Final Cover Y/N Minimum Thickness _____

Code V

Current Use

VI

Buried Utilities

Y/N

Structures

Y/N

Adjacent Structures
(within 3000 ft)

Y/N

Petroleum/Product Pipelines

Y/N

Wells (oil or water)

Y/N

Status

Dates of Observation

Seeps

Y/N

Gas

Y/N

Vegetative Distress

Y/N

Cover Erosion

Y/N

Ponded Water

Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3

Site Name: Temple 51-57, Belle Date: _____

OTHER INFORMATION

Aquifer Recharge Zone _____ Y/N _____ Aquifer _____

Inspection Record _____

Comments Reported by Dist. 3 Staff;
primarily municipal waste accepted;
mostly pasture land at present
time; burn pit; one structure -
Farley Days Tractor Bldg

TEXAS WATER COMMISSION
Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

- II
- a) from inspection
 - b) from map
 - c) reported

- III
- a) certain
 - b) reported
 - c) speculated

- IV
- a) certain
 - b) reported
 - c) speculated

- V
- a) certain
 - b) reported
 - c) speculated

- VI
- a) residential
 - b) commercial
 - c) industrial
 - d) park/recreation
 - e) school/hospital
 - f) agricultural
 - g) road
 - h) municipal
 - i) no activity

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §

COUNTY OF BELL §

KNOW ALL MEN BY THESE PRESENTS:

That the Temple Independent School District of the County of Bell, State of Texas, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and sufficient consideration, to it cash in hand paid by the City of Temple, Texas, a Texas Municipal Corporation, the receipt of which is hereby acknowledged and confessed, the basis for this transfer being as described and as approved and provided in an ordinance of the City of Temple, Bell County, Texas, passed on the 3rd day of March, 1977, on third and final reading, by unanimous vote of the Board of Commissioners of the City of Temple, Texas, has Granted, Sold and Conveyed, and by these presents does Grant, Sell and Convey, unto the said City of Temple, all that certain lot, tract or parcel of land described as follows:

A tract of land being out of a part of the G. W. Farris Survey, Abstract No. 304, and being on and across that certain 39.6 acre tract of land described in a deed from the American Legion to the Temple Independent School District as recorded in Volume , Page , Deed Records of Bell County, Texas

- BEGINNING:** At the most southerly southwest corner of said 39.6 acre tract being in the east line of that certain tract owned by the Texas National Guard and being in the north margin of that tract described as a street dedication in Vol. 817, Page 273, Deed Records of Bell County, Texas for the southwest corner of this.
- THENCE:** N. 19° 37' 50" E., 10.0 feet with the east line of said Texas National Guard tract and the west line of said 39.6 acre tract to a point for the northwest corner of this.
- THENCE:** S. 71° 00' 00" E., 540.0 feet to a point for the northeast corner of this.
- THENCE:** S. 19° 37' 50" W., 10.0 feet to a point in the south line of said 39.6 acre tract for the south east corner of this.
- THENCE:** N. 71° 00' 00" W., 540.0 feet with the south line of said 39.6 acre tract of land being the north line of said Street dedication described in Vol. 817, Pg. 273, Deed Records of Bell County, Texas, to the place beginning.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000



Vada Sutton
CO. CLERK, BELL CO., TX

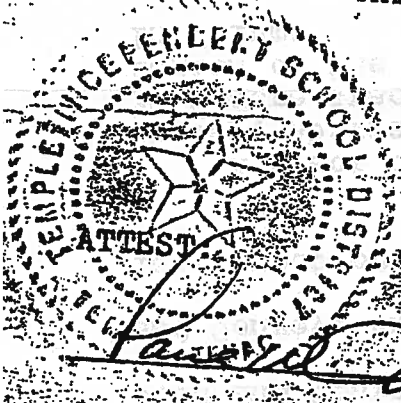
TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said City of Temple its successors and assigns forever and the Temple Independent School District does hereby bind itself, its successors and assigns to Warrant and Forever Defend, all and singular the said premises unto the said City of Temple, its successors and assigns, against every person whosoever lawfully claiming or to claim the same, or any part thereof, by through, or under it, but no further.

IN TESTIMONY WHEREOF, the Temple Independent School District has caused this instrument to be executed by EDWARD A. HINKLE, President of the Board of Trustees thereunto duly authorized by resolution of the Board of Trustees and to be attested and its corporate seal hereto affixed by its Secretary on this the 18th day of April, 1977.

TEMPLE INDEPENDENT SCHOOL DISTRICT

Edward A. Hinkle

President



Edward A. Hinkle

Secretary

THE STATE OF TEXAS §
COUNTY OF BELL §

BEFORE ME, the undersigned authority, on this day personally appeared _____ of the Temple Independent School District, whose name is subscribed to the foregoing instrument of writing, and he acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of the Temple Independent School District.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 18th day of April, 1977.

Shelby J. Pagel

Notary Public in and for
Bell County, Texas

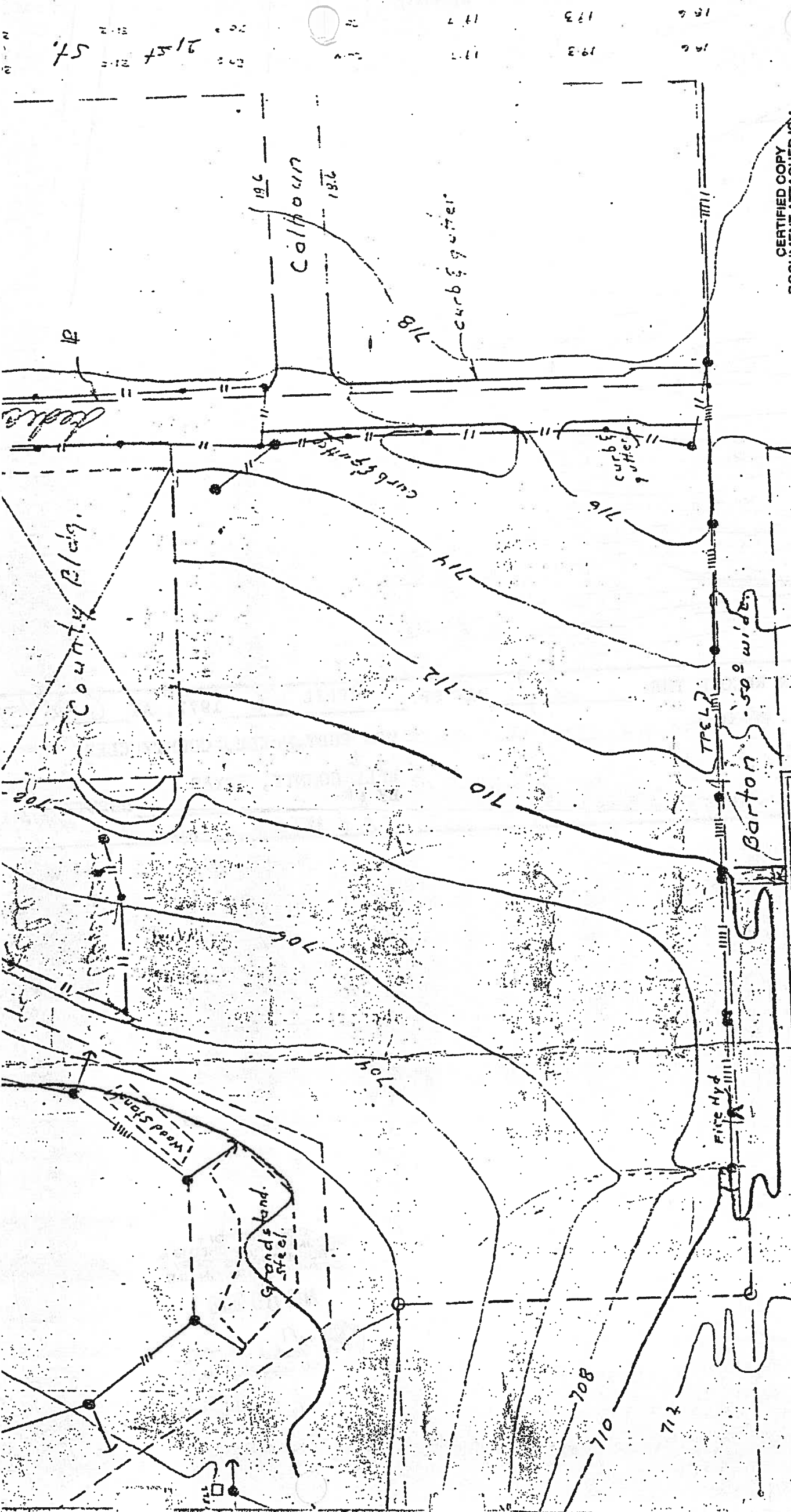


CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

Vada Sutton

CO. CLERK, BELL CO., TX



CERTIFIED COPY
DOCUMENT ATTACHED IS X
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

Wade Sutton
COUNTY CLERK REEL 100, TX

23rd St




196 193 177 177 173 166
200 215 215 215 215 215
21st St

FILED FOR RECORD THE 27 DAY OF APRIL 1977, AT 8:47

MRS RUBY MCKEE, COUNTY CLERK
BELL COUNTY, TEXAS
BY _____ DEPUTY

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

 *Vada Sutton*
CO. CLERK BELL CO., TX
A. Carter

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date: _____

Name of Site 1) Temple 2) _____
County Bell District 03 River Basin I
Location West of Temple H.S. in city limits

Latitude _____ Longitude _____ Code II
SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5° Topographic Series Name _____
Num. Code _____

ADDITIONAL INFORMATION

Current Property Owner City of Temple Code CI
Address _____
Telephone _____

Dates of Operation 1951 to 1957 Size 69 acres/cu. yds
(circle one)

Parties That Utilized Site Temple

Type of Waste: Household Y/N Construction/Demolition Y/N Industrial Y/N

Tires Y/N Agricultural Y/N Brush Y/N Other _____

Hazardous Waste: Unlikely Y/N
Probable Y/N
Certain Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3

Site Name: Temple 51-57, Belle Date: _____

OTHER INFORMATION

Aquifer Recharge Zone Y/N Aquifer _____

Inspection Record _____

Comments Reported by Dist. 3 Staff;
primarily municipal waste accepted;
mostly pasture land at present
time; burn pit; one structure -
Early Days Tractor Bldg

AUG 09 2000

75

Vada Sutton
CLERK, BELL CO., TX

acknowledged to me that he executed the same for the purposes and consideration therein expressed, and as the act and deed of said bank and in the capacity therein stated.

Given under my hand and seal of office this 20th day of August, A. D. 1935.

(Seal)

A. L. Quaitte
Notary Public in and for Ellis County, Texas

Filed for record December 16, 1935 at 8 o'clock A. M.

Jack Spoons, County Clerk, Bell County, Texas

THE STATE OF TEXAS
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

That we, W. B. Woodson and wife, Edna B. Woodson of the County of Bell, State of Texas, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars cash to us in hand paid by the City of Temple, the receipt of which is hereby acknowledged and confessed; and the further consideration of the desire of the grantors in memory of J. M. Woodson, M. D., deceased, and Mrs. Anna B. Woodson, the father and mother of the grantor, W. B. Woodson, to aid in the establishment of a modern, first-class air-port adjacent to the City of Temple, complying in all respects with the rules and regulations, and specifications of the Air Division of the Department of Commerce of the United States Government.

Have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said City of Temple, a municipal corporation, of the County of Bell, State of Texas, all those certain tracts, lots and parcels of land, lying and being situate in Bell County, Texas, particularly described by metes and bounds as follows, to-wit:

TRACT NO. 1: A portion of the A. G. Moore 320 acre Exemption Survey; beginning at a post set at the Northwest corner of said A. G. Moore Exemption Survey; Thence S 13 deg. W 376.8 varas to an iron stake set in the center of a county road; Thence S 71 deg. E 216 varas to an iron stake set in the center of said road; Thence N 13 deg. E 454.6 vrs to an iron stake set in field; Thence N 46 deg 10 min E 251 vrs to an iron stake set on the North line of said Moore Exemption Survey; Thence N 71 deg W with the North line of said Survey 330 vrs to the place of beginning, containing 28.23 acres of land.

TRACT NO. 2: Portion of the Elizabeth berry Survey; Abst. 56, Pat. 296, Vol. 18; beginning at an iron stake set in the West line of the A. G. Moore 320 acre Exemption Survey and 24.1 varas S 13 deg W from the Northwest corner of the same; Thence S 13 deg W with the West line of said Moore Survey 138 varas to an iron stake set in said land; Thence N 9 deg W 202.8 varas to an iron stake set in fence on the boundary line between the Frank Knowles tract and the Flint and Johnson tract; Thence with said boundary line N 78 deg 45 min E 99.3 vrs to the place of beginning, containing 1.8 acres of land.

TRACT NO. 3: A portion of the Elizabeth berry Survey; Abst. 56, Pat. 296, Vol. 18; Beginning at the Northwest corner of the A. G. Moore 320 acre Exemption Survey; Thence S 71 deg. E 586.8 vrs to an iron stake set on the North line of the said Moore Survey; Thence N 13 deg. E 130.8 vrs to an iron stake set in field; Thence S 71 deg E 206.3 vrs to an iron stake set in field; Thence N 13 deg E 216 vrs to an iron stake set on the North line of Flint and Johnson tract; Thence N 71 deg W with the North line of said Flint and Johnson tract 1080 vrs to an iron stake set in same; Thence S 13 deg W 216 vrs to an iron stake set in field; Thence S 71 deg E 72 vrs to an iron stake set in field; Thence S 8 deg 30 min E 256.3 vrs to an iron stake set on boundary line between the Flint and Johnson tract and the Knowles tract; Thence with said boundary line S 78 deg 45 min E 99.3 vrs to iron stake set in the West line of the aforesaid A. G. Moore Survey; Thence N 13 deg E 24.1 vrs to the place of beginning, containing 67.43 acres of land.

TO HAVE AND TO HOLD unto the City of Temple, a municipal corporation, under the laws of the State of Texas, pertaining to Home-Rule Cities and Towns, in bell County, Texas, for use as an airport and landing field for airplanes and other heavier than air machines, as well as balloons and other lighter than air machines and ships; provided, that if the said lands shall ever cease to be used by the City of Temple, its lessees or successors in the title as a city-owned, city-leased or city-supervised airport and landing field, and such cessation shall continue so long as one year, then and in that event the title to the hereinbefore described lands shall revert to and the said lands shall become the property of the grantors herein, their heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said City of Temple against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS our hands at Temple, Texas, this 9th day of September, 1935.

W. B. Woodson

Edna B. Woodson

THE STATE OF TEXAS |
COUNTY OF BELL |

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared W. B. Woodson and Edna B. Woodson, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Edna B. Woodson, wife of the said W. B. Woodson, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Edna B. Woodson acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this the 9th day of September,

W. K. Brown

Notary Public in and for bell County, Texas

(Seal)

Filed for record December 16, 1935 at 8 o'clock A. M.

Jack Spoonts, County Clerk, bell County, Texas

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OF THE ORIGINAL ON FILE

AUG 09 2000



Vada Sutton
CO. CLERK, BELL CO., TX

J. Carter

STATE OF TEXAS |
COUNTY OF BELL |

WHEREAS, on January 8, 1925, B. A. Morgan sold and conveyed the 161 acres of land out of the A. G. Moore Survey in bell County, Texas, described by metes and bounds in the deed of even date therewith, to J. C. Worden, of record in book 359 at pages 251 et seq. of bell County, Texas Deed records, to which and the record thereof reference is made for all purposes, reserving therein a vendor's lien to secure the payment of two notes, one for \$8000.00, due on demand, and the other for \$5754.00, due and payable in yearly installments, both payable to the order of B. A. Morgan and described in full in said deed; and,

WHEREAS, thereafter, by transfer dated February 5, 1929, Brooks A. Morgan conveyed said note for \$5754.00 to The First National bank of Temple, which is of record in book 386, page 424 et seq. of bell County, Texas Deed records, and the latter by its transfer of May 5, 1934, of record in book 430 at pages 197 et seq. of said bell County, Texas Deed records conveyed and assigned said note and all liens securing the payment of the same to First National bank of Temple, which is now the legal and equitable owner and holder of the same; and,

WHEREAS, J. C. Worden and wife, Sallie Worden have sold and conveyed to W. B.

State Department of Health

AUSTIN

TEXAS

See Bell County

INTER-OFFICE

NO. Pat Adell, P. E.,
Region V

Charles K. Foster, P. E., Director
Division of Sanitary Engineering

SUBJECT Solid Waste - Bell County - Eubanks Dump

On November 7, 1973 the Writer in company with Winifred Sladek, Sanitarian, Bell County Health Department, investigated a complaint that Mr. A. C. Boston telephoned to the Main Office involving the dumping of refuse near his property by a Mr. Eubanks.

The Bell County Health Department was involved in this problem about a year ago, at which time they stopped Mr. Eubanks from dumping and ordered him to clean up what had been dumped. Mr. Eubanks rented 66 acres and had been operating an open dump. Then Mr. Boston bought the property and Mr. Eubanks cleaned most of it up at the order of the County Health Department but left 3-4 hours of hauling work undone.

Mr. Eubanks used the excuse that he didn't complete the work because Mr. Boston wrote him a letter which told him to keep off the property. But reportedly he had several months to complete the work before the letter was written.

The County noting the progress in cleaning up the site assumed that it would be completed and forgot the matter. Mr. Boston had not contacted the County concerning this recent problem but had gone directly to the State. If he had contacted the County, the State probably never would have gotten involved. The Bell County Health Department is very conscientious in its duties and is one of the better health departments the Writer has had dealings with.

As a result of this inspection the County gave Mr. Eubanks 15 days to complete the cleanups and it is recommended that no further action be taken except that the Writer will verify the cleanup when next in the area.

This is for the Department's information.

SIGNED *Pat Adell, PE*

Sic - Bell County

Charles K. Foster, P. E., Director
Division of Sanitary Engineering
Solid Waste - Bell County

Patrick Adell, P. E.
Region V

On October 18, 1973, Mr. A. C. Boston of Temple contacted the Environmental Development Program office by telephone, regarding the dumping of refuse by a Mr. Eubanks near his property.

Mr. Boston indicated that he has contacted the Bell Co. Health Department with no results. We would appreciate your contacting Mr. Boston, investigating the situation, and providing us with your findings and recommendations, when your itinerary permits. Mr. Boston's business address is 2608 West Avenue M in Temple and his telephone number is (817) 773-7301.

RWC:cld

October 19, 1973

J R R
500

064

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date:

Name of Site 1) Eubank 2)

County Bell District 03 River Basin I

Location 2 mi. 22 at Hwy 317 and S of Hwy 2305.

Latitude _____ Longitude _____ Code II

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5' Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner _____ Code III

Address _____
Telephone _____

Dates of Operation _____ to OK Size _____ acres/cu. yds
(circle one)

Parties That Utilized Site Former Foster Reservoir area

Type of Waste: Household Y/N Construction/Demolition _____ Industrial _____
Y/N Y/N Y/N

Tires _____ Agricultural _____ Brush _____ Other _____
Y/N Y/N Y/N

Hazardous Waste: Unlikely _____ Y/N
Probable _____ Y/N
Certain _____ Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2 Site Name: _____ Date: _____

Legal Status During Operation _____ Legal _____ Y/N
Unauthorized _____ Y/N

Maximum Depth _____ Feet Code IV

Constructed Liner Y/N If yes, describe _____

CLOSURE AND POST-CLOSURE

Final Cover Y/N Minimum Thickness _____ Code V

Current Use VI

Buried Utilities Y/N Structures Y/N Adjacent Structures Y/N
(within 3000 ft)

Petroleum/Product Pipelines Y/N Wells (oil or water) Y/N

Status _____ Dates of Observation _____

Seeps Y/N _____

Gas Y/N _____

Vegetative Distress Y/N _____

Cover Erosion Y/N _____

Ponded Water Y/N _____

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3 Site Name: Frisco Bed Date:

OTHER INFORMATION

Aquifer Recharge Zone Y/N Aquifer _____

Inspection Record 9/70 - open dump

Comments Identified in 1970 survey

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I. River basin code currently utilized by MSW Division

II a) from inspection
b) from map
c) reported

III a) certain
b) reported
c) speculated

IV a) certain
b) reported
c) speculated

V a) certain
b) reported
c) speculated

VI a) residential
b) commercial
c) industrial
d) park/recreation
e) school/hospital
f) agricultural
g) road
h) municipal
i) no activity

The State of Texas,

County of BELL

Know All Men by These Presents:

That I, Justine Miller, a widow,

of the County of Bell,

State of Texas

for and in consideration

~~of the love and affection~~ of the love and affection which I have for my son, Abe Miller, (sometimes known as Ed Miller), and for the purpose of making a gift to my said son;

~~of the love and affection~~

~~of the love and affection~~

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said Abe Miller of the County of Bell, State of Texas, for his separate use and benefit and as a part of his separate estate, subject to the

~~of the love and affection~~ life estate herein retained, the following described tracts of land in Bell County, Texas:

FIRST TRACT: 442.5 acres of land out of the J. J. Simmonds Survey, Abstract 737 being 30 acres deeded by W. E. Monteith et al to Justine Miller recorded in Vol. 508, Page 506; 20 acres deeded by J. D. Paulk to Justine Miller recorded in Vol. 508, Page 509; and three tracts of land consisting of 360.5 acres, 20 acres and 12 acres deeded by Abe Miller to Justine Miller recorded in Vol. 479, Page 67, Deed Records Bell County, Texas, to which reference is hereby made for full description

SECOND TRACT: Being a part of Lot No. Two of the Stroud Melton Sub-division of a 320 acre tract in the G. W. Lindsey Survey described as "First Tract" in the Deed from Owen P. Carpenter et ux to Justine Miller dated November 10, 1960, and recorded in Vol. 823, Page 62 et seq of the Deed Records of Bell County, Texas, and containing 10 acres of land, more or less.

THIRD TRACT: Being 12 acres of land, more or less, in the J. J. Simmonds Survey and being the same tract described as "Second Tract" in the above described Deed from Owen P. Carpenter et ux to Justine Miller

FOURTH TRACT: Being 18 acres of land, more or less, in the J. J. Simmonds Survey and being the same tract of land conveyed to Justine Miller by Claudia Hill Brown by Deed recorded in Vol. 826, Page 421 of the Deed Records of Bell County, Texas.

CERTIFIED COPY DOCUMENT ATTACHED IS A TRUE & CORRECT COPY OF THE ORIGINAL ON FILE

AUG 09 2000

J. Paula Sutton CO. CLERK, BELL CO., TX

THENCE with said south margin, S. 58°14'08" E., 156.80 feet to the PLACE OF BEGINNING, containing 17.194 acres of land.

The bearings for the above description are based on the west margin of Lookout Ridge Boulevard as per deed of said 4.964 acre tract, being of record in Volume 2870, Page 405, Deed Records of Bell County, Texas.

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS, That I, Gale E. Mitchell, Registered Professional Land Surveyor, do hereby certify
COUNTY OF BELL § that I did cause to be surveyed on the ground the above described tract of land and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, My hand and seal, this the 20th day of April, 1995, A.D.



Gale E. Mitchell
Registered Professional
Land Surveyor No. 1602



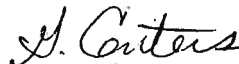
VOL. 3315 PAGE 389

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AUG 09 2000



Vada Dutton
CO. CLERK, BELL CO., TX



W. W. Morris
STATE DEPARTMENT OF HEALTH

AUSTIN

TEXAS

INTER-OFFICE

W. W. Morris
FROM: Charles A. Porter, R. S. TO: David M. Cochran, P. E., Chief

SUBJECT: Trip Report - August 6, 1970

On August 6, 1970, the writer and Mr. Bob Morris of this office traveled to Temple where Winford L. Sladek, R. S., and Charles Howe, Temple-Bell County Health Department were contacted. We traveled to the D. L. Thompson property which is located two miles south of Troy and one mile east of Interstate 35. Mr. Thompson is a private refuse collector who picks up for the residents of Pendleton, Troy, Leroy, and other small towns and housing developments in Bell County.

D. L. Thompson

Mr. Thompson is depositing the refuse on his property in a ditch approximately eight feet wide and forty feet long. The ditch runs downhill and any surface runoff can go through the refuse and drain into a gully. Mr. Thompson's operation consists of dumping five loads per week and burning it. There were numerous flies around the dump and Mr. Thompson's house is located about 150 yards north of the site. The site is approximately one-fourth mile from the nearest residence and public road. Wells in the area are 150 feet to 200 feet deep and dry at the present time.

Mr. Thompson is presently planning to expand his operations. He is bidding on contracts for Morgan's Point, Corps of Engineers contract on Lake Belton and the City of Granger. Since the Corps of Engineers contract requires that the refuse be disposed of properly, Mr. Thompson wanted to know if his operation was satisfactory. Mr. Thompson was told that it would be in compliance with our rules and regulations since it was producing flies and there was some question of complaints on the burning operation. Mr. Thompson was advised that in the event of an expansion in his operation, a sanitary landfill should be operated on his property or other property acquired for this purpose.

According to Mr. Thompson, available areas for the disposal of refuse in Bell County are almost nonexistent. The Cities of Temple and Belton have closed their sites to everyone except the city residents. The county does not operate any sites and according to Mr. Thompson they do not plan to operate any in the near future.

After leaving Mr. Thompson's, we returned to Temple where we visited the Temple sanitary landfill. The site was in fair shape. There was a lot of blowing paper and the city was having problems with people dumping in the gate after hours. An inspection report was filled out on the site for office information.

JP

CAP - DMC
Trip. Report

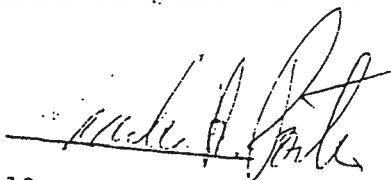
Mr. Howe, Bob Morris and the writer met with Judge Black, Bell County Judge and discussed the problem of dumping in the county. Judge Black has for sometime been trying to get the county involved in solid waste disposal. He said the county commissioners were negative to any suggestions presented to them on solid waste. Judge Black stated that any ideas we came up with that might stimulate his commissioners into action would be greatly appreciated.

The problem in Bell County is similar to several other counties in the State. The area is suffering from urbanization and the rural thinking of the county government is not capable of providing the solutions to the problems created by this urbanization. There is a possibility that this Department may take a more in depth look at the solid waste problem in this county and present a program to the commissioners court pointing out the problems and possible solutions through county participation. This could serve as a stimulant to the county officials or it may further alienate them because they may not like "outsiders" coming in and pointing out their problems to them.

This report is respectfully submitted for your information.

CAP:skn

Signed



Date 8-10-70

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date:

Name of Site 1) Thompson 2)

County Bell District 03 River Basin I

Location 2 mi S of Troy and 1 mi E of I 35 on Thompson property.

Latitude _____ Longitude _____ Code II

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5' Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner D.H. Thompson Code C #
Address _____
Telephone _____

Dates of Operation 1911 to 1911 Size 500 acres/cu. yds
(circle one)

Parties That Utilized Site Cities of Proctor, Troy, Hermit + others

Type of Waste: Household (Y/N) Construction/Demolition _____ Industrial _____
Y/N Y/N Y/N

Tires Y/N Agricultural Y/N Brush Y/N Other _____

Hazardous Waste: Unlikely Y/N
Probable Y/N
Certain Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

Y/N
Y/N

Maximum Depth _____

Feet

Code

IV

Constructed Liner

Y/N

If yes, describe _____

CLOSURE AND POST-CLOSURE

Final Cover

Y/N

Minimum Thickness _____

Code

V

Current Use

VI

Buried Utilities

Y/N

Structures

Y/N

Adjacent Structures
(within 3000 ft)

Y/N

Petroleum/Product Pipelines

Y/N

Wells (oil or water)

Y/N

Status

Seeps

Y/N

Gas

Y/N

Vegetative Distress

Y/N

Cover Erosion

Y/N

Ponded Water

Y/N

Dates of Observation

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3

Site Name: B Thompson - Belle

Date:

OTHER INFORMATION

Aquifer Recharge Zone Y/N Aquifer _____

Inspection Record 8/6/70 - trench operation; burning
dump

Comments TDH
8/10/70 Trip report
memo

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

ODE

I River basin code currently utilized by MSW Division

- II
- a) from inspection
 - b) from map
 - c) reported

- III
- a) certain
 - b) reported
 - c) speculated

- IV
- a) certain
 - b) reported
 - c) speculated

- V
- a) certain
 - b) reported
 - c) speculated

- VI
- a) residential
 - b) commercial
 - c) industrial
 - d) park/recreation
 - e) school/hospital
 - f) agricultural
 - g) road
 - h) municipal
 - i) no activity

WARRANTY DEED

THE STATE OF TEXAS
COUNTY OF BELL

} KNOW ALL MEN BY THESE PRESENTS:

That I, Pat T. Scott, not joined by my wife herein because this property described below forms a part of my separate property, and I own, occupy and claim other property as my homestead,
of the County of Bell and State of Texas for and in consideration of the sum of Ten and no/100-----
-----(\$10.00)-----DOLLARS
and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged,

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DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000


CO. CLERK, BELL CO., TX

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto
Ida Inez Willis Scott, a feme sole, whose mailing address is 805
North General Bruce Drive, Temple, Texas 76501,
of the County of Bell and State of Texas, all of
the following described real property in Bell County, Texas, to-wit:

83.34 acres of land, more or less, out of the Sarah Christopher Survey, in Bell County, Texas, and being more fully described in Exhibit "A", attached hereto and incorporated herein for all purposes;

and

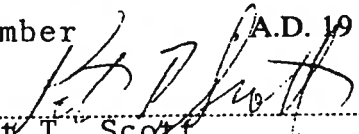
27.246 acres of land, more or less, out of the Sarah Christopher Survey, in Bell County, Texas, and being more fully described in Exhibit "B", attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, her heirs and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to WARRANT AND FOREVER DEFEND ^{except as stated herein} all and singular the said premises unto the said grantee, her heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance is made and accepted subject to any and all conditions, easements and restrictions, if any relating to the hereinabove described property, to the extent, and only to the extent, that the same may still be in force and effect, shown of record in the office of the County Clerk of Bell County, Texas.

The Law Firm of Sidney Kacir has not examined the title to the above described property and therefore, in no way guarantees that good and marketable title is being conveyed.

EXECUTED this 12th day of December A.D. 19 85


Pat T. Scott

Faint, illegible text at the top of the page, possibly bleed-through from the reverse side.

Mailing address of each grantee:

Name: Ida Inez Willis Scott
Address: 805 North General Bruce Dr.
Temple, Texas 76501

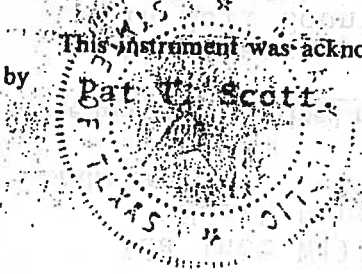
Name:
Address:

(Acknowledgment)

STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on the 18th day of December, 1985,

by Ida Inez Willis Scott



Donna K. McEntire

Notary Public, State of Texas

Notary's name (printed): Donna K. McEntire

Notary's commission expires: 8/22/88

(Acknowledgment)

STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on the _____ day of _____, 19____,

by _____

Notary Public, State of Texas

Notary's name (printed): _____

Notary's commission expires: _____

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AUG 09 2000



Vada Sutton
CO. CLERK, BELL CO., TX

EXHIBIT A

83.34 acres of land out of the Sarah Christopher Survey in Bell County, Texas, and being 15.388 acres out of that 48-5/6 acre tract conveyed by Sam Sparks, Sheriff, to R. E. Willis by sheriff's deed dated March 2nd, 1897, and recorded in Vol. 131 on page 55 of the deed records of Bell County, Texas, and 45.232 acres out of that 154 acre tract conveyed by R. S. Hough to R. E. Willis by deed dated May 11, 1882, and recorded in vol. 47 page 480 of the deed records of Bell County, Texas, and all of that 23 acre tract conveyed by S. L. Oliver to R. E. Willis by deed dated Dec. 10, 1890 and recorded in Vol. 77 on page 588 of the deed records of Bell County, Texas. Beginning at the S W corner of a 154 acre tract; Thence N 19-21 E 673 feet to the S E corner of a 23 acre tract; Thence N 71-00 W 747-1/2 feet to the S W corner of the said 23 acre tract; Thence N 19-25 E 1319 feet to the N W corner of the said 23 acre tract in the south line of the said 48-5/6 acre tract; Thence N 71 W with the south line of the 48-5/6 acre tract 405 feet to the S W corner of same; Thence N 18 E with the west line of said 48-5/6 acre tract 581.8 feet to the N W corner this tract and S W corner of tract set apart to Amanda F. Willis; Thence S 71 E at 1166.6 feet the east line of the said 48-5/6 acre tract and the west line of the 154 acre tract, at 1923.1 feet to the N E corner of this tract and the N W corner of 81.738 acres set apart to Kibbie Willis and in the south line of 63.196 acres set apart to Amanda F. Willis; Thence S 19 W 2567.8 feet to corner in the South line of the said 154 acre tract; Thence N 71-38 W with the south line of the said 154 acre tract 782.4 feet to the place of beginning, containing 83 acres of land, exclusive of and not including any portion of the public road adjoining.

This being the same land described in a Suit for Partition in Cause No. 13844, Bessie V. Thomas, et al vs. Edmund T. Willis, et al, in the District Court of Bell County, Texas in October, 1921, and being the same tract awarded to Ida Inez Willis.

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AUG 09 2000



Vada Sutton
CO. CLERK, BELL CO., TX

EXHIBIT B

27.246 acres of land, more or less, out of the Sarah Christopher Survey, in Bell County, Texas, and being the middle one-third (1/3) of that tract containing 81.738 acres of land allotted to Kibbie Willis in the partition suit styled Bessie V. Thomas, et al., vs. Edmond T. Willis, et al., Cause No. 13844 in the District Court of Bell County, Texas, and described by metes and bounds, as follows, to-wit:

BEGINNING at the southwest corner of the tract of land this day deeded by Maurice Thomas, et al., to Amanda Willis, for the northwest corner of this tract; Thence South 71 east 682.3 feet along the south boundary line of the Amanda Willis tract to the northwest corner of the tract of land deeded to Nell Willis Bruner, by Maurice Thomas, et al., Thence in a southerly direction along the west boundary line of the Nell Willis Bruner tract 1707.8 feet to the southwest corner of the Nell Willis Bruner tract, for the southeast corner of this tract; Thence North 71 deg. 38' west 682.3 feet to the southwest corner of the 81.738 acre tract for the southwest corner of this tract; Thence North 19 east 1711.8 feet to the point of beginning.

This being the same land described in Deed from Maurice Thomas, et al to Ida Inez Scott, as her sole and separate property and estate, by deed dated November 26, 1954, and recorded in Volume 719, Page 143, Deed Records of Bell County, Texas.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

Ida Inez Scott
CLERK, BELL COUNTY, TEXAS
A. Canters

FILED FOR RECORD THIS 23 DAY OF Dec, 1985 AM
RUBY MCKEE COUNTY CLERK, BELL COUNTY, TEXAS
BY _____ DEPUTY

Closed Landfill Inventory
Central Texas Council of Governments

Site Identification

County	Bell
Permitted Site Number	U66

Location and Boundary

COG Confidence Level	0%
Latitude	Unknown
Longitude	Unknown
Narrative Location Description	In Oenaville, behind the community building, adjacent to Hwy 43.
Boundary Description	Unknown
Basic Land Units	Unknown

Land Use

Ownership Information

Current Property Owner(s)	City of Oenaville
Current Owner(s) Address	Unknown
Dates of Ownership	Unknown
Land Unit	Unknown

Site History and Current Status

Previous Owner(s)	Unknown
Dates of Operation	Unknown
Enforcement History	Unknown
Types of Waste Disposed	Evidence of Burning observed

Reference Attachments

Texas Water Commission Landfill Inventory

66

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date:

Name of Site 1) Denzville 2)

County Bell District 03 River Basin I

Location Area In Denzville, behind the Community Bldg. Adjacent to Hwy 4317

Latitude _____ Longitude _____ Code II
SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5' Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner City of Denzville Code C-11F
Address _____
Telephone _____

Dates of Operation UNK to UNK Size _____ acres/cu. yds
(circle one)

Parties That Utilized Site City of Denzville and County Residents

Type of Waste: Household Y/N Construction/Demolition _____ Industrial _____
Y/N Y/N Y/N

Tires Y/N Agricultural _____ Brush _____ Other _____
Y/N Y/N Y/N

Hazardous Waste: Unlikely _____ Y/N
Probable _____ Y/N
Certain _____ Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3 Site Name: Opaville Bldg A Date: 1/1/70

GENERAL INFORMATION

Aquifer Recharge Zone Y/N Aquifer

Inspection Record 9/70 - burning dump;

Comments Identified in 9/70 foundation report

TEXAS WATER COMMISSION
Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

II a) from inspection
b) from map
c) reported

III a) certain
b) reported
c) speculated

IV a) certain
b) reported
c) speculated

V a) certain
b) reported
c) speculated

VI a) residential
b) commercial
c) industrial
d) park/recreation
e) school/hospital
f) agricultural
g) road
h) municipal
i) no activity

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

(Y/N)
Y/N

Maximum Depth

Feet

Code

IV

Constructed Liner

Y/N

If yes, describe

CLOSURE AND POST-CLOSURE

Final Cover

Y/N

Minimum Thickness

Code

V

Current Use

VI

Buried Utilities

Y/N

Structures

Y/N

Adjacent Structures
(within 3000 ft)

Y/N

Petroleum/Product Pipelines

Y/N

Wells (oil or water)

Y/N

Status

Dates of Observation

Seeps

Y/N

Gas

Y/N

Vegetative Distress

Y/N

Cover Erosion

Y/N

Ponded Water

Y/N

Texas Department of Health

AUSTIN

TEXAS

INTER-OFFICE

copy of file
Illegal Site
S of Eddy

FROM John D. Lattimore, R.S.

To: G.R. Herzik, Jr., P.E.

TO For: Jack C. Carmichael, P.E.

SUBJECT Solid Waste - Bell County

90315

Buster Lewis - Illegal Landfill Site

2.6 miles S of Eddy on Bell-Falls County Line Road

On October 18, 1979, the writer inspected the subject illegal waste disposal site. The site was found properly closed in accordance with the Department's regulations. It is requested that the subject site be deleted from the Management Information System.

This is reported for the Department's information.

Approved: _____

T.D.T.

Thomas D. Tiner, P.E.

jfw



SIGNED _____

John D. Lattimore

DATE _____

October 19, 1979

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date:

Name of Site 1) Lewis 2)

County Bell District D3 River Basin I

Location 2.6 mi. S. of FDDy on Bell-Falls
Country Line Rd.

Latitude _____ Longitude _____ Code II

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5" Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner Buster Lewis Code C-III

Address _____
Telephone _____

Dates of Operation _____ to 1979 Size _____ acres/cu. yds
(circle one)

Parties That Utilized Site _____

Type of Waste: Household Y/N Construction/Demolition Y/N Industrial Y/N

Tires Y/N Agricultural Y/N Brush Y/N Other _____

Hazardous Waste: Unlikely Y/N
Probable Y/N
Certain Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

Y/N
(Y/N)

Maximum Depth

Feet

Code

IV

Constructed Liner

Y/N

If yes, describe

CLOSURE AND POST-CLOSURE

Final Cover

Y/N

Minimum Thickness

Code

V

Current Use

VI

Buried Utilities

Y/N

Structures

Y/N

Adjacent Structures
(within 3000 ft)

Y/N

Petroleum/Product Pipelines

Y/N

Wells (oil or water)

Y/N

Status

Dates of Observation

Seeps

Y/N

Gas

Y/N

Vegetative Distress

Y/N

Cover Erosion

Y/N

Ponded Water

Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3

Site Name: Lewis - BCO

Date:

OTHER INFORMATION

Aquifer Recharge Zone Y/N Aquifer _____

Inspection Record Closure confirmed 10/19/79

TDH memo

Comments

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

II
a) from inspection
b) from map
c) reported

III
a) certain
b) reported
c) speculated

IV
a) certain
b) reported
c) speculated

V
a) certain
b) reported
c) speculated

VI
a) residential
b) commercial
c) industrial
d) park/recreation
e) school/hospital
f) agricultural
g) road
h) municipal
i) no activity

Location

- E-1.2 1. Was the site location approved by a governmental Entity? . . . No
By _____ Date _____
- E-1.3(a) 2. Do adequate public roads and highways provide access to site? . Yes
- E-1.3(b)(c) 3. Have provisions been made for all-weather access from the
entrance of the site to the unloading area? Yes
If not, wet-weather access provided to an alternate
disposal area? _____

Water Pollution

- E-1.4(a) 1. Is solid waste deposited within 500 feet of a water well,
water treatment plant or raw water intake structure which
furnishes water to a public water system? Yes
- E-1.4(b) 2. How often is solid waste placed in water? Never
- E-1.4(c) 3. Are soil conditions such that groundwater may be contaminated
from leachates? Appears to be rock
Were leachates observed? If so, please comment. No
- E-1.4(d) 4. Depth of deepest excavation on the site? . Dump over cliff, 20 ft. deep
Type of deep soil? Rock and Clay
- 5. Depth to nearest water-bearing sand? Unknown
- 6. Can surface drainage enter working face or excavations? No
- 7. How often is the site inundated? Never
- 8. Land characteristics: Flat, rolling, swampy, etc.? Rolling
- 9. Distance of site to nearest water course? 1 Mile to Nolan Creek
- E-1.4(f) 10. Have monitor wells been drilled? No
Date of last chemical analysis? _____

Operational Standards - Disposal

- 2.1 1. How often is refuse burned? . . Were at one time - but county stopped it
If so, legally permitted? _____
- 2.1(a)(b) 2. Is an adequate supply of water under pressure at the site,
an adequate stockpile of earth on hand, or is there a nearby
organized fire department? No
Which? _____
- 2.2(a) 3. Is an attendant on duty during operating hours? No
If not, appropriate signs posted directing vehicles where
to unload? Only collector dumps
- 4. Is the site adequately fenced? Yes
Are the gates kept locked when attendant is not on duty? Yes
- 2.2(b) 5. Is refuse confined to as small an area as practicable? No

Operation

This site is operated on land owned by Frank Smith, who owns the Triple O Trailer Park which has 52 mobile homes serving an estimated 150 people. The garbage is pushed over a rock cliff, possibly 20 feet deep, and then dirt is dropped over it from the cliff. There appears to be no compaction. The waste is picked up twice a week by Mr. Smith, reportedly in an open dump truck. Cover occurs once per week.

Site

The site is located next to and down a rock cliff. The cliff appeared to be all rock with the base composed of some clay topsoil and rock. Cover material is brought in. A house, having its own well, is located approximately 250 ft. from the site. This house is owned by Mr. Smith and one of his workers lives there.

Comments

Mr. Smith expressed the desire for continued use of the site and requested instructions on how to get it into compliance. Since Bell County is an S.M.S.A. area this requires a Type I operation.

Recommendations

1. All solid waste disposal sites for domestic type waste in Bell County are required to be a Type I sanitary landfill which requires the following:
 - a. The soil characteristics of the site must be such that their contamination of underground waters will be prevented.
 - b. Levees must be provided, as needed, to prevent surface water from entering the site or leachates from leaving.
 - c. All waste must be covered on the same day it is deposited with 6" of compacted clay cover after the waste is compacted by a crawler type tractor. When an area of the site is no longer to be used, a final cover of 2 ft. is required. Cover material must be a clayey type earth and rock or sand is not satisfactory. The present method of pushing the waste over the cliff and then dumping dirt over it is unsatisfactory and should be discontinued immediately.
2. A water well appeared to be located approximately 150 ft. from the dumping area and current Rules and Regulations require a well used for human consumption should not be located within 500 ft. of a sanitary landfill site. Therefore, the well should be plugged and sealed and another well constructed in another area or the dumping area should be moved 500 ft. from the well.
3. It is recommended that every effort be made to place the solid waste in an existing, properly operated, sanitary landfill as experience has shown the difficulty of providing proper operation for small sites such as this.

4. If the site is abandoned, all waste must be compacted and covered with at least 2-ft. of a compacted clayey type cover material to prevent the entrance of rainwater into the refuse.

Comments

It is not felt the site could be properly operated due to soil characteristics, the small amount of waste involved, and the lack of equipment. Every effort should be made to discourage the continued use of this site and to haul the waste to an approved landfill.

Respectfully submitted,

Patrick Adell, P.E.
Patrick Adell, P.E.
July 10, 1973

Approved: Stanley W. Thompson, P.E.
Stanley W. Thompson, P.E.
Regional Engineer

PA:js

Handwritten notes:
500-
Tapes

Handwritten: S.W. Bell Co.



Handwritten: Mobile Home
S of FM 439
outside Belton

BELL COUNTY HEALTH DEPARTMENT

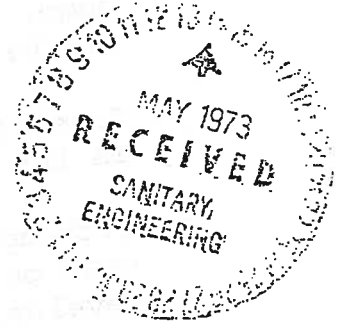
JOHN B. BRYSON, M.D., M.P.H.
DIRECTOR

COURTHOUSE ANNEX
119 WEST AVENUE D
KILLEEN, TEXAS 76541
PHONE 634-4932

509 SOUTH 9TH STREET
P.O. BOX 3745
TEMPLE, TEXAS 76501
PHONE 778-4766

COUNTY OFFICE BUILDING
P.O. BOX 516
BELTON, TEXAS 76513
PHONE 939-2091

May 11, 1973



Mr. Jimmy Dickins
Texas State Dept. of Health
1100 West 49th Street
Austin, Texas 78756

Dear Sir:

This department has been made aware of a mobile home park having between 35 and 50 spaces which is using its own trash dump. After reading the Texas State Department of Health's "Municipal Solid Waste Rules, Standards, and Regulations" there is still some question as to the legality of this dump.

The following is a description of the dump and its location.

1. The dump in question is in the County of Bell an S.M.S.A. and about one mile north, northwest of the city limits of Belton. On the south side of FM439, it is about one mile south of the Belton Reservoir;
2. This dump is located on property owned by Frank Smith who also owns and manages the mobile home park;
3. The dump is over 300 yards from the nearest highway, (FM 439);
4. It is being used to fill a rock bottom pit, approximate demensions, 25-30 feet deep, and 50-75 feet wide;
5. The area is not subject to flooding although water is standing in the bottom of the pit 12-18 inches deep.

Mr. Jimmy Dickins
State Health Dept.
Solid Waste, Triple O M.H.P.
Page 2

- 6..The nearest residents live more than 300 yards from the dump, except for a Mexican family which is employed by Mr. Smith;
7. Trash is picked up twice weekly from the park and deposited in the pit;
8. Although covering material is available it is not being used on a regular basis and consequently a fly problem is developing;

We would appreciate your assistance in helping us determine if this dump is permissible under the municipal, solid waste, rules, standards and regulations.

In the meantime if any additional information is needed or if we can be of any assistance please contact us.

Very truly yours,

John B. Bryson, M.D.

John B. Bryson, M.D., M.P.H.
Director

JW:bm

67
069

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1 Date:

Name of Site 1) Smith Site 2)

County Bell District 03 River Basin I

Location Off FM 439 - 500 yds. and about 1 mi from Belton Lake Park

Latitude 31° 125.7' Longitude 97° 29.5' Code 6 III

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5' Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner Frank Smith Code C III
Address _____
Telephone _____

Dates of Operation 1962 to OK Size 1 acres/cu. yds
(circle one)

Parties That Utilized Site Triple O Trailer Park

Type of Waste: Household Y/N Construction/Demolition Y/N Industrial Y/N

Tires Y/N Agricultural Y/N Brush Y/N Other _____

Hazardous Waste: Unlikely Y/N
Probable Y/N
Certain Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

Y/N
Y/N

Maximum Depth

20 Feet

Code b ~~#3~~

Constructed Liner

Y/N If yes, describe _____

CLOSURE AND POST-CLOSURE

Final Cover

Y/N

Minimum Thickness _____

Code V

Current Use

VI

Buried Utilities

Y/N

Structures

Y/N

Adjacent Structures
(within 3000 ft)

Y/N

Petroleum/Product Pipelines

Y/N

Wells (oil or water)

Y/N

Status

Dates of Observation

Seeps

Y/N

Gas

Y/N

Vegetative Distress

Y/N

Cover Erosion

Y/N

Ponded Water

Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

- II
- a) from inspection
 - b) from map
 - c) reported

- III
- a) certain
 - b) reported
 - c) speculated

- IV
- a) certain
 - b) reported
 - c) speculated

- V
- a) certain
 - b) reported
 - c) speculated

- VI
- a) residential
 - b) commercial
 - c) industrial
 - d) park/recreation
 - e) school/hospital
 - f) agricultural
 - g) road
 - h) municipal
 - i) no activity

THE STATE OF TEXAS)
)
COUNTY OF BELL)

KNOW ALL MEN BY THESE PRESENTS:

That Frank Smith and Mrs. Frank L. Smith

of Bell County, Texas, hereinafter called "Grantor," whether one or more, in consideration of the advantages which will accrue to Grantor from the construction of the electric distribution line and telephone line hereinafter described, hereby grants to TEXAS POWER & LIGHT COMPANY, of Dallas, Texas, and the

_____ , an easement and right of way for an electric distribution line, and all necessary or desirable appurtenances, and for a telephone line and appurtenances, upon over and across Grantor's land in the C. Cruise & L. Walker Survey, Abstract No. 166 & 860, _____ Bell County, Texas more particularly described in deed from Joe Fulwiler to Frank Smith dated March 26, 19 65, recorded in Volume 928, Page 470, Deed Records of said County.

The center line of said distribution line and telephone line shall be located across said land as follows:

Beginning at a point in Grantor's north property line. Said Grantor's north property line also being the south right-of-way boundary line of FM Highway 439. Said point being located 219 feet west of Grantor's northeast property corner. Said point also being the centerline of an existing Texas Power and Light Company rural distribution line.

THENCE S 39° 25' W along the centerline of Said existing Texas Power and Light Company rural distribution line for a distance of 586 feet to an existing Texas Power and Light Company angle pole.

THENCE S 39° 20' E along the centerline of said existing Texas Power and Light Company rural distribution line for a distance of 110 feet to a point where a Texas Power and Light Company pole and attached guy will be installed in said line. Said guy to extend N 69° E for a distance of 25 feet to a guy anchorage.

THENCE from the above described pole S 69° W for a distance of 1240 feet to a point where a Texas Power and Light Company pole and attached guy will be installed. Said guy to extend S 69° W for a distance of 25 feet to a guy anchorage.

The above described property constitutes no part of my homestead

The description is based on a preliminary survey, and it is understood that Grantees may relocate said lines in the same general direction before or at any time after construction, and may relocate any of its structures along the course of said lines.

Grantees shall have the right to erect 5 poles, 0 stubs, and 2 guy anchorages along the course of said line, together with the right of ingress and egress for the purpose of construction, improving, inspecting, maintaining, operating and removing said lines and appurtenances; the right to relocate said lines in the same relative position to any adjacent road if and when said road is widened in the future, and the right at all times to cut away and keep clear of said lines and appurtenances all trees and other obstructions which, in the sole judgment of Grantees, may endanger or interfere with the proper maintenance and operation of said lines.

TO HAVE AND TO HOLD the above described easement and right unto the said Grantees, their successors and assigns, until all of said lines shall be abandoned.

EXECUTED this 20th day of November, A.D. 19 75.

Frank Smith
Mrs. Frank L. Smith

CERTIFICATE OF ACKNOWLEDGMENT FOR INDIVIDUALS

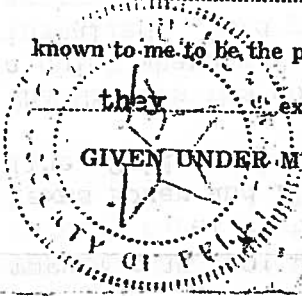
THE STATE OF TEXAS

County of BELL

BEFORE ME, the undersigned authority, on this day personally appeared.....

Frank Smith and Mrs. Frank L. Smith

known to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.



GIVEN UNDER MY HAND AND SEAL OF OFFICE this 20th day of Nov., A. D. 1975.

[Handwritten Signature]

Notary Public Bell County, Texas

FILED FOR RECORD THE 14 DAY OF FEBRUARY 1977, AT J A W

MRS RUBY MCKEE, COUNTY CLERK

BELL COUNTY, TEXAS

BY _____ DEPUTY

570

TEXAS STATE DEPARTMENT OF HEALTH
INSPECTION OF EXISTING SOLID WASTE DISPOSAL SITES

1. Location: County Bell City near Salado Region IV
Street of Road 4 Mi. East of Salado
Geographic Coordinates N 30° 59' W 97° 29'
2. Name of: Disposal Site Kelly Site Site Owner Jim & Robert Kelly
Site Operator Jim and Robert Kelly (City, County, Private)
Areas Served Moffet, Morgans Point & Salado
3. Population of Area Served 2,000 (Est.)
4. Distance from Disposal Site:
To Nearest Airport None Near
To Nearest Residence or Business Owners have 1 well-depth unknown
To Public Road3 Mile
200 vds.
5. Area Classification:
In Standard Metropolitan Statistical Area Yes
In Extraterritorial Jurisdiction of a City (Name) No
In City Limits (Name) No
6. Type of Operation:
At Time of Inspection Burning Daily - Cover every 2 - 3 days
Required Operation Type I Sanitary Landfill
If Operated as a Sanitary Landfill, Date Landfill
Operations Started June - 1972
7. Equipment: Name and Model Case 310 Dozer
8. Initial Site Size 75 Acres
Present Site Size Using about a 5 acre tract Acres
Operational Life Remaining 10 Years
Approximate Date Site First Used Reported - June 1972
9. Amount and Type of Waste Handled:
Volume 46 Cu. Yds./ day
Weight _____ Tons/
Type of Waste Received Municipal Garbage
10. Number of Employees: Collection 5
Disposal 1 - when covering
11. Name, Title and Address of Persons Accompanying Inspector:
Jim Kelly - Box 267, Salado - Lakeland Sanitary Service
Other Persons Contacted: Robert Kelly - by telephone
12. Name and Address of Officials Responsible for Site:
Mayor or County Judge Owner - James Kelly, Box 267, Salado
City Manager or County Commissioner _____
Garbage Superintendent or Operator _____

Date of Inspection Aug. 30, 1972 Time 9:30 AM Weather Conditions Sunny

By: Patrick Adell, P.E.
Date Approved Sept. 19, 1972 By Stanley W. Thayer, P.E.
TSDH (Sept. 1971)

Name of Site Kelly Site

1. Was the site location approved by a governmental Entity? No
By _____ Date _____

2. Do adequate public roads and highways provide access to site? Yes

3. Have provisions been made for all-weather access from the entrance of the site to the unloading area? Dirt Road
If not, wet-weather access provided to an alternate disposal area? No

Water Pollution

1. Is solid waste deposited within 500 feet of a water well, water treatment plant or raw water intake structure which furnishes water to a public water system? No

2. How often is solid waste placed in water? Never

3. Are soil conditions such that groundwater may be contaminated from leachates? Never
Were leachates observed? Never

4. Depth of deepest excavation on the site? No
Type of deep soil? No

5. Depth to nearest water-bearing sand? Reported below 14 ft. Clay

6. Can surface drainage enter working face or excavations? 18'
Could be easily diverted? Yes

7. How often is the site inundated? Never

8. Land characteristics: Flat, rolling, swampy, etc.? Rolling

9. Distance of site to nearest water course? Dry drainage ditch through site.

10. Have monitor wells been drilled? No
Date of last chemical analysis? _____

Sanitary Standards - Disposal

How often is refuse burned? daily
If so, legally permitted? No

Is an adequate supply of water under pressure at the site, an adequate stockpile of earth on hand, or is there a nearby organized fire department? Yes
Which? Salado Fire Dept.

Is an attendant on duty during operating hours? No
If not, appropriate signs posted directing vehicles where to unload? The owners of the site operate garbage collecting business and are the only users of the site.

Is the site adequately fenced? Yes
Are the gates kept locked when attendant is not on duty? No gate
Is the refuse confined to as small an area as practicable? Yes

- E-2.3 6. Is blowing paper a problem? No
 If so, is a portable fence or other suitable enclosure provided near the unloading area to catch windblown materials?
 Also, if required, is necessary equipment available for wetting deposited solid waste?
- E-2.4 7. Are hazardous materials accepted? No
 If so, what special provisions are made for the disposal of hazardous materials (insecticides, offal, chemicals, etc.)?
- E-2.5 8. Is a separate unloading area or alternate site available for disposal of large items (cars, refrigerators, stoves, etc.)? No
- E-2.6 9. Are insects and rodents kept under control? No
 Were rats and/or signs of rat infestation observed? No
 Fly population: light, medium, heavy, none? Light
 Were fly larvae observed? No
 Were mosquitoes observed? No
 Mosquito larvae observed? No
 Other vector problems? No
- 10. Adequate signs posted at entrance stating rules and regulations governing the site? Only owners use dump.
- E-2.7 11. Is salvaging permitted? No
 Is scavenging permitted? No

Type of Operation

- 1. Required type of operation? Type I Sanitary Landfill
- 2. How often is earth cover being applied? 2-3 days
- 3. Method being used (trench, area, etc.)? Trench-Burning

Operational Standards - Collection

- C-1.1 1. Are the vehicles used to transport solid waste properly covered? Yes
- C-1.2 2. Are the vehicles used to transport putrescibles and/or liquids constructed to prevent the leakage of liquids? Yes
- C-1.3 3. Is solid waste kept in transport vehicles for an extended period of time that may create a health hazard? No
- 4. Is there a mandatory refuse collection ordinance in force? N/A
 Collection fee charged per resident per month?

Date of previous inspection _____

This inspection was made due to Complaint

Brief description of the site Burning in trench, perodic cover

attached pages, recommendations are submitted in a form suitable for transmission to local official(s) responsible for the site.

General

The owners of the site operate a garbage collection service in various parts of the county and dump at their site. Recently they were reportedly prohibited from dumping at the city dumps (Belton, Killeen, Temple) in the county and the county does not have any sites. The owners, faced with going out of business, started dumping on a farm they own near Salado. It seems they knew that they were violating the solid waste act because they had been previously turned down for approval of a site by the Temple City Commission sometime in December of 1971. The application made by a Mr. James L. Dill for the Bell Sanitary Service does not mention the Kellys, but Robert Kelly mentioned this.

Mr. Robert Kelly stated that the cost of making an application for a landfill was quite high and would possibly be turned down and the size of his operation could not economically justify running a Type I Sanitary Landfill, as required in a SMSA area. The county is presently making a study for a county wide centralized solid waste operation and the Kellys do not want to properly operate a landfill with its extra cost when they can use the county site in about 6 months, reportedly.

Site

The site is located approximately 4 miles East of Salado in Bell County in a rolling terrain with a clay soil. A drainage ditch passes through the site.

Operation

Garbage is brought to the site in two packer type garbage trucks and dumped into a pit approximately 14 ft. deep where it is burned. Cover is applied every 2 - 3 days by a Case 310 Dozer. Pits are dug out by contract and one lasts about a month.

Conclusions

This site started operating sometime in June and is in violation because it was not approved prior to its being used. No application was submitted.

Recommendations

In view of the solid waste rules and regulations this site should be properly closed and should not be used for the disposal of solid waste until such time as proper approval is given.

All solid waste on the site should be properly covered with 2 ft. of final cover.

Respectfully submitted,

Patrick Adell, P.E.
by SUT

Patrick Adell, P.E.

September 18, 1972

Approved:

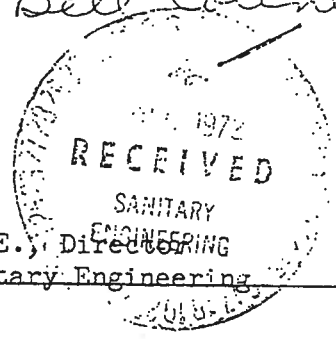
Stanley W. Thompson, P.E.
Stanley W. Thompson, P.E.
Regional Engineer

PA:js

HTC
SW-Bell Co.

Salado - Kelly Private Disposal Site

STATE DEPARTMENT OF HEALTH
AUSTIN TEXAS



INTER-OFFICE

J. Milton Scott, R.S.

C. K. Foster, P.E., Director

FROM: Regional Sanitarian

TO: Division of Sanitary Engineering

SUBJECT: Solid Waste - Bell County
Salado - Kelly Private Disposal Site

On November 8, 1972, the writer, in company with Sanitarian Winfred Sladek of the Bell County Health Department, conducted an inspection of the above captioned municipal solid waste disposal site.

The site was fenced with a locked gate. It appeared that the site is no longer utilized as a disposal site and uncovered waste was not observed.

Reportedly, all waste collected by Jim and Robert Kelly is being hauled to the city of Temple landfill.

Respectfully submitted,

Approved: Stanley W. Thompson, P.E.
Stanley W. Thompson, P.E.
Regional Engineer

[Signature]
SIGNED

JMS:js

DATE November 30, 1972

20

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date: _____

Name of Site 1) Kelly Site 2)

County Bell District 03 River Basin 1

Location 4 mi. E of Salado

Latitude 30° 59' Longitude 97° 29' Code A #

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5" Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner Jim + Robert Kelly Code C #
Address Box 567 Salado, TX
Telephone _____

Dates of Operation 1972 to 1972 Size 5 acres cu. yds
(circle one)

Parties That Utilized Site Mattie J. Morgan + Point, +
Salado

Type of Waste: Household Y/N Construction/Demolition _____ Y/N Industrial _____ Y/N

Tires Y/N Agricultural _____ Y/N Brush _____ Y/N Other _____

Hazardous Waste: Unlikely Y/N
Probable _____ Y/N
Certain _____ Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

Y/N
Y/N

Maximum Depth

14 Feet

Code 5-1B

Constructed Liner

Y/N If yes, describe _____

CLOSURE AND POST-CLOSURE

Final Cover

Y/N Minimum Thickness _____

Code V

Current Use

VI

Buried Utilities

Y/N Structures Y/N Adjacent Structures
(within 3000 ft)

Y/N

Petroleum/Product Pipelines

Y/N

Wells (oil or water)

Y/N

Status

Dates of Observation

Seeps

Y/N

Gas

Y/N

Vegetative Distress

Y/N

Cover Erosion

Y/N

Ponded Water

Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3

Site Name: Kelly Site

Date:

OTHER INFORMATION

Aquifer Recharge Zone Y/N Aquifer _____

Inspection Record 8/30/72 - municipal waste
received; 18' to nearest water -
bearing sand; nearest water bearing
course runs through site; Daily
burning; trench operation

Comments Site turned down by Temple City
Commission in 12/71.

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

II a) from inspection
b) from map
c) reported

III a) certain
b) reported
c) speculated

IV a) certain
b) reported
c) speculated

V a) certain
b) reported
c) speculated

VI a) residential
b) commercial
c) industrial
d) park/recreation
e) school/hospital
f) agricultural
g) road
h) municipal

AFFIDAVIT OF SOLID WASTE DISPOSAL SITE

MAW 455 090028

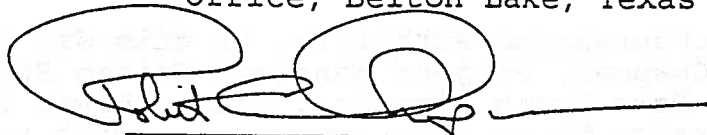
STATE OF TEXAS §
 §
COUNTY OF BELL §

Before me, the undersigned authority, on this day personally appeared Robert C. Chapman, Project Manager, United States Army Corps of Engineers, Fort Worth District, Little River Project Office, who, after being by me duly sworn, upon oath swears that the following statements are true:

1. That the United States of America is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being described as a tract containing 104.00 acres of land, more or less, being part of the Sterling C. Fitch Survey (A-317), Bell County, Texas, being more particularly described in that certain General Warranty Deed dated September 13, 1963, from Armstead T. Van Ness, et al, to the United States of America, recorded in Volume 886, Page 207 of the Deed Records of Bell County, Texas, and also referred to as Tract No. 108, Stillhouse Hollow Lake, Texas, reference to which is herewith made for all purposes.
2. That during the period of time from approximately 1970 through 1988 there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on that portion of the aforesaid tract as shown on a map labelled Exhibit A, attached hereto, and made a part hereof for all purposes.
3. That the United States of America was the operator of such Solid Waste Disposal Site.
4. That notice is hereby provided to any future owner or user of the site to consult with the Texas Natural Resource Conservation Commission or appropriate State regulating agency prior to planning or initiating any activity involving the disturbance of the landfill cover or monitoring system.

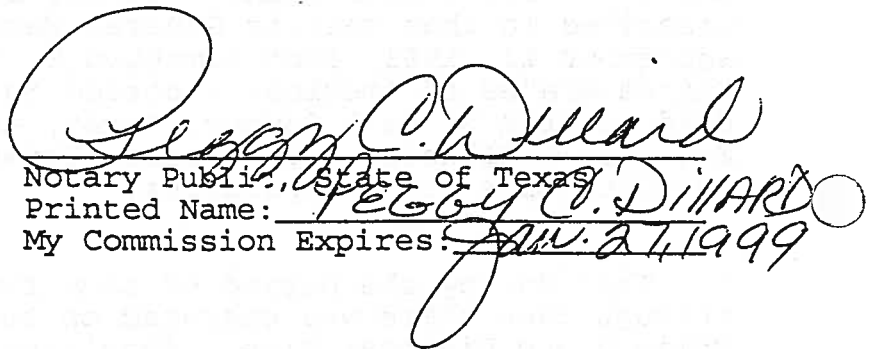
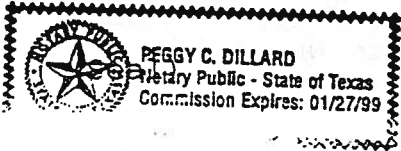
WITNESS MY HAND on this the 24 day of April, 1995.

United States Army Corps of Engineers
Fort Worth District, Little River Project
Office, Belton Lake, Texas -



Robert C. Chapman
Project Manager

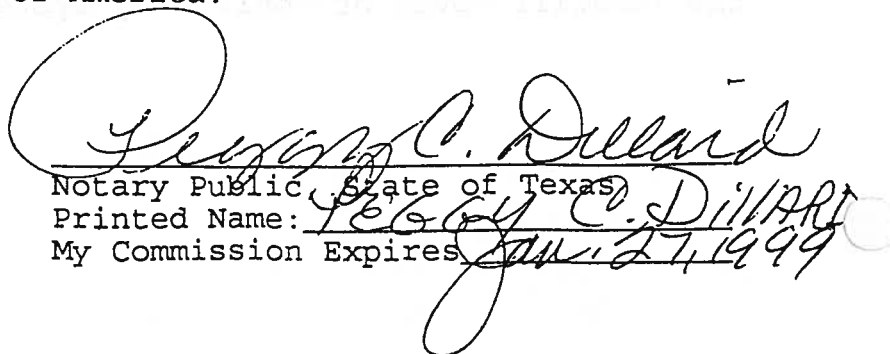
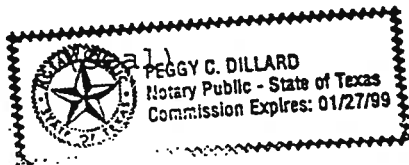
SWORN TO AND SUBSCRIBED before me on this the 24 day of
April, 1995.



Notary Public, State of Texas
Printed Name: PEGGY C. DILLARD
My Commission Expires: JAN. 27, 1999

STATE OF TEXAS §
 §
COUNTY OF BELL §

This instrument was acknowledged before me on the 24 day
of April, 1995, by Robert C. Chapman, as
Project Manager, U. S. Army Corps of Engineers, Fort Worth
District, Little River Project Office, Belton Lake, Texas, on
behalf of the United States of America.



Notary Public, State of Texas
Printed Name: PEGGY C. DILLARD
My Commission Expires: JAN. 27, 1999



DEPARTMENT OF THE ARMY
 FORT WORTH DISTRICT, CORPS OF ENGINEERS
 P. O. BOX 17300
 FORT WORTH, TEXAS 76102-0300

REPLY TO
 ATTENTION OF:

May 9, 1995

Operations Division

RECEIVED

MAY 12 1995

MSW-455090027
MSW-455090028

TEXAS NATURAL RESOURCE
 CONSERVATION COMMISSION
 REGION 9-WACO

Mr. Jim Edwards
 Texas Natural Resource Conservation Commission
 6801 Sanger Avenue, Suite 2500
 Waco, Texas 76710-7807

Dear Mr. Edwards:

This letter is in reference to solid waste disposal sites which are located on Federally-owned property at the U.S. Army Corps of Engineers Belton and Stillhouse Hollow Lakes. Enclosure #1, is a "Closure of Solid Waste Disposal Areas" report, prepared by Corps personnel, describing the areas and the closure procedures for the disposal sites. Enclosure #2 are certified copies of "Affidavits to the Public" which were prepared for the sites and filed in Bell County.

We feel that these sites have met all the closure requirements of 30 TAC § 330, Subchapter J. We would appreciate your review of the enclosed information and gladly welcome any further recommendations or comments. We will review additional requirements, if you feel they may be necessary.

If you have any questions concerning this matter or if you would like to arrange for a site inspection of these areas, please contact the Belton Project Manager, Mr. Robert Chapman, at 817-939-1829.

Sincerely,

Dwight L. Quarles
 Dwight L. Quarles
 Chief, Operations Division

Enclosures

SOLID WASTE DIVISION

1995 MAY 17 PM 3:29

455070028

2524

2524

Barry R. McBee, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Dan Pearson, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

February 29, 1996

Mr. Dwight L. Quarles, Chief Operations Manager
US Army Corp of Engineers, Fort Worth District
P.O. Box 17300
Fort Worth, Texas 76102-0300

Re: Municipal Solid Waste - Bell County
US Army COE - Illegal Dump Sites
MSW-455090027 & MSW-455090028

Dear Mr. Quarles:

This is in response to the receipt of a copy of an "Affidavit to the Public" for two Corp of Engineers dump sites near Belton Lake and Stillhouse Hollow Lake. These affidavits were received, submitted by your letter, dated May 9, 1995. The affidavits, as submitted are not certified copies. They are being returned for filing in the Deed Records of Bell County. Once you have obtained a certified copy, please return the certified copies to our regional office in Waco for acceptance.

Your cooperation in properly closing these sites is appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact me at MC-124, P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6671.

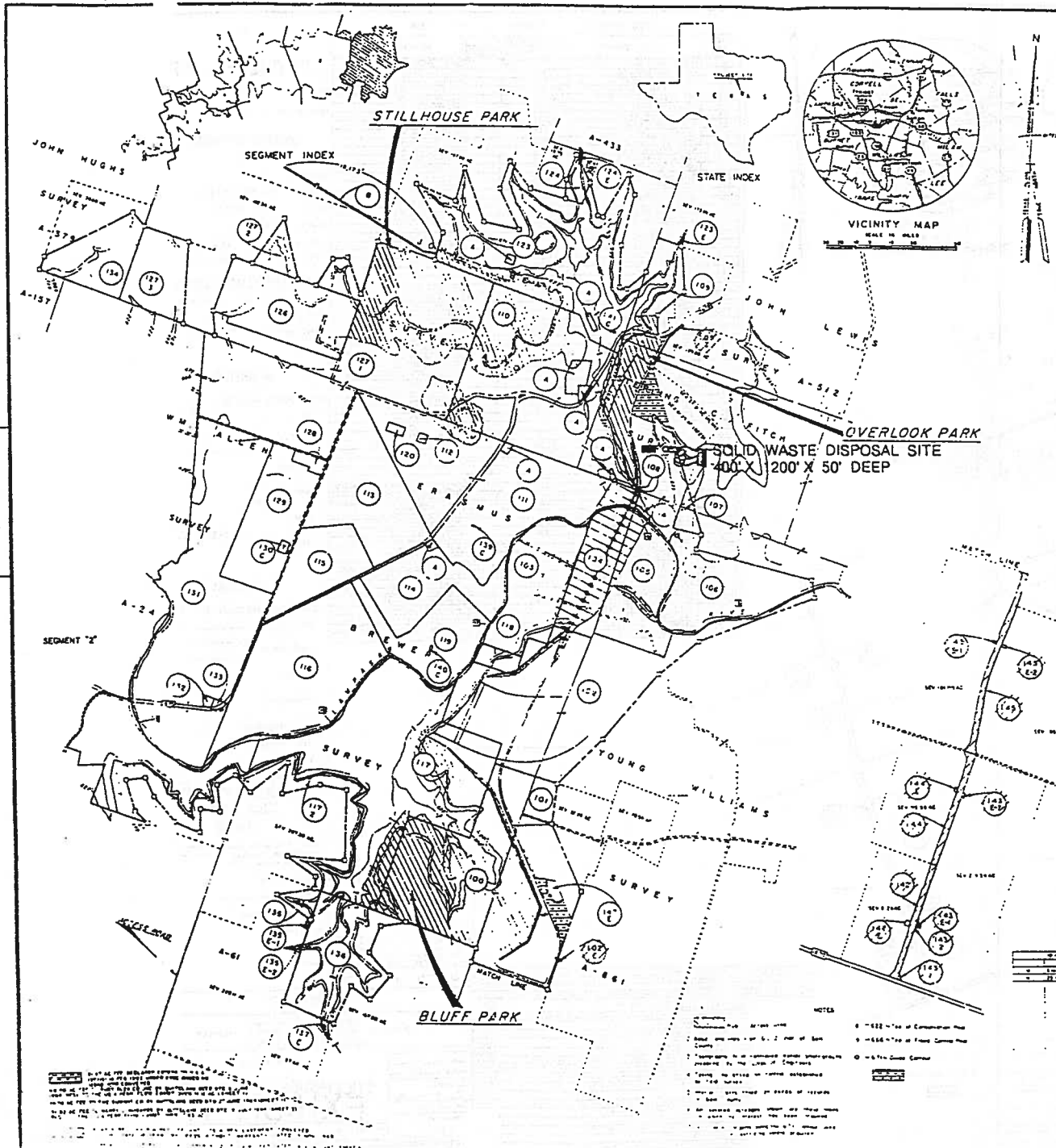
Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E.
Permits Section
Municipal Solid Waste Division

MDG/ff

cc: TNRCC Region 9



TRACT NO	LAND OWNER	ACQUISITION		REMARKS
		TRACT	TER	
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PROJECT MA

DEPT OF THE ARMY
 USING SERVICE
 LOCATION OF PROJECT
 STATE TEXAS
 COUNTY SE...
 DIVISION SOUTHWESTERN
 DISTRICT FORT WORTH
 ARMY AREA FOURTH
 10 MILES SW OF BELTON
 10 MILES S OF KILLEEN

TRANSPORTATION FACILITY
 RAILROADS G.C. & S.F. & N.K.
 STATE ROADS 195
 FEDERAL ROADS 81, 193, & 19C
 AIR LINES

ACQUISITION

TOTAL ACRES ACQUIRED 16.0
 FEE 16.0
 PUBLIC DOMAIN 16.0
 USE PERMIT
 TRANSFER FEE
 LEASE
 LESSOR INTERESTS

DISPOSAL

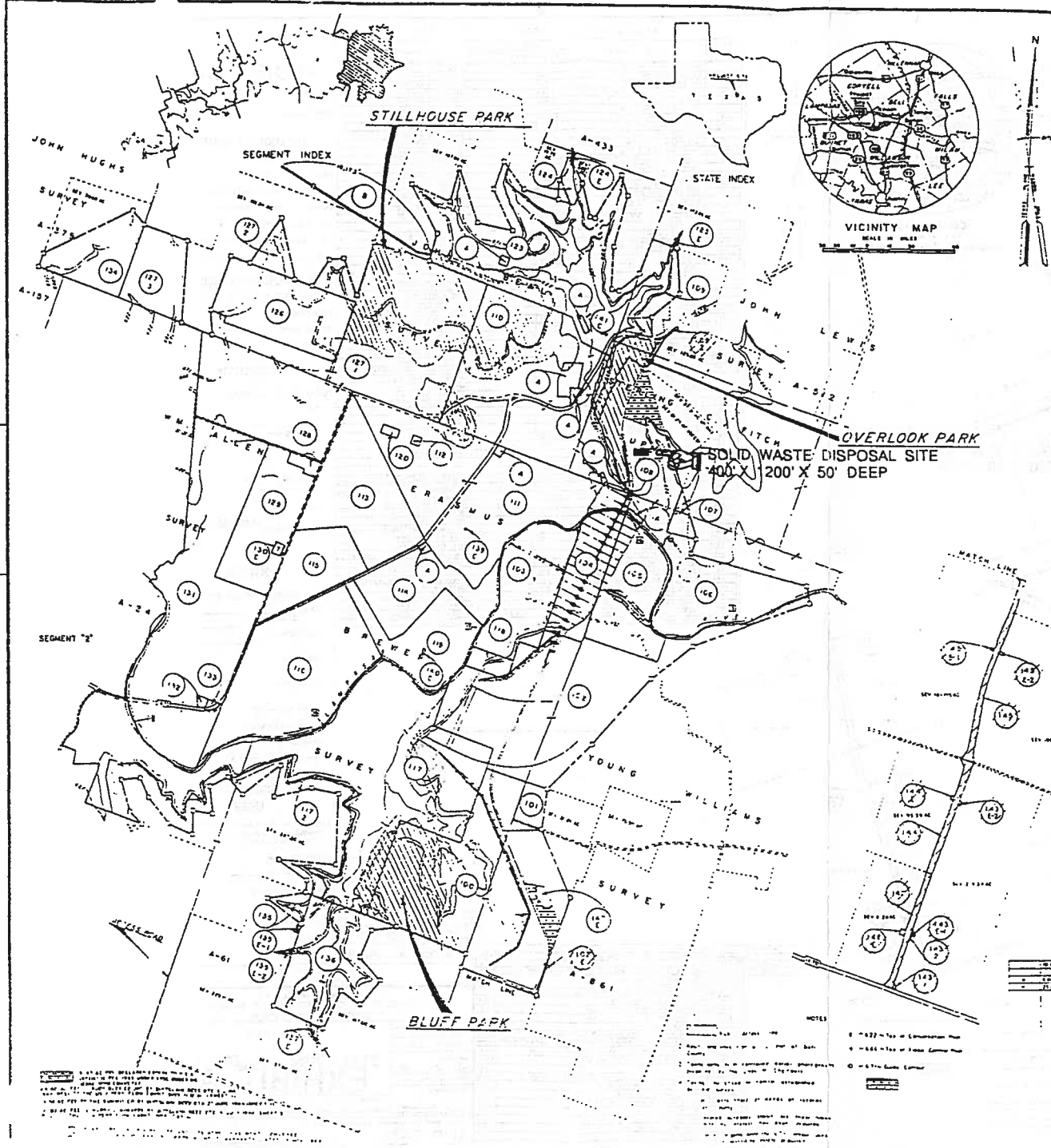
TOTAL ACRES DISPOSED OF 16.0
 SOLD 16.0
 PUBLIC DOMAIN 16.0
 USE PERMIT
 TRANSFERRED
 LEASES TERMINATED
 LESSOR INTERESTS
 REASSIGNED
 OTHER

LEGEND

EXCEPT FOR THE SPECIAL SYMBOLS SHOWN
 SYMBOLS ARE STANDARD IN ARMY
 TECHNICAL DRAWING NO. 22
 RESERVATION LINE
 TRACT BOUNDARY LINE
 TRACT NUMBER
 CONTOUR LINE
 DISPOSAL

TRACT NO	ACQUISITION AUTHORIZATION	REMARKS
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SEGMENT "I"
 DEPARTMENT OF THE ARMY
 OFFICE OF THE FORT WORTH DISTRICT ENGINEER
 SOUTHWESTERN DIVISION
 REAL ESTATE
 STILLHOUSE HOLLOW
EXHIBIT A
 AUDITED



TRACT NO	LAND OWNER	ACREAGE	TRACT	REMARKS
100	STATE OF TEXAS	1.00	100	RESERVED
101	STATE OF TEXAS	1.00	101	RESERVED
102	STATE OF TEXAS	1.00	102	RESERVED
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105	STATE OF TEXAS	1.00	105	RESERVED
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177	STATE OF TEXAS	1.00	177	RESERVED
178	STATE OF TEXAS	1.00	178	RESERVED
179	STATE OF TEXAS	1.00	179	RESERVED
180	STATE OF TEXAS	1.00	180	RESERVED

PROJECT MAP

DEPT OF THE ARMY
ENGINEERING SERVICE
LOCATION OF PROJECT
STATE TEXAS
COUNTY BELL
DIVISION SOUTHWESTERN
DISTRICT FORT WORTH
ARMY AREA FOURTH
10 MILES SW OF BELTON
10 MILES S OF MILLEN

TRANSPORTATION FACILITY
RAILROADS G.C. & S.F. B.M.K. & B.
STATE ROADS 195
FEDERAL ROADS 81, 193, & 190
AIR LINES

ACQUISITION
TOTAL ACRES ACQUIRED 16.2
FEE

USE PERMIT
TRANSFER
LEASE
RESERVE INTERESTS

DISPOSAL
TOTAL ACRES DISPOSED OF
SOLD
PUBLIC DOMAIN
USE PERMIT
TRANSFER
LEASE
RESERVE INTERESTS

LEGEND

- RESERVATION LINE
- RESERVATION LINE
- TRACT BOUNDARY LINE
- TRACT NUMBER
- CONTOUR LINE
- DISPOSAL

ACQUISITION AUTHORIZATION

SEGMENT "I"

DEPARTMENT OF THE ARMY
OFFICE OF THE FORT WORTH DISTRICT ENGINEER
SOUTHWESTERN DIVISION

REAL ESTATE

STILLHOUSE HOLLOW D
EXHIBIT A

NOTES

1. All areas shown on this map are reserved for the use of the Army.
2. All areas shown on this map are reserved for the use of the Army.
3. All areas shown on this map are reserved for the use of the Army.
4. All areas shown on this map are reserved for the use of the Army.
5. All areas shown on this map are reserved for the use of the Army.
6. All areas shown on this map are reserved for the use of the Army.
7. All areas shown on this map are reserved for the use of the Army.
8. All areas shown on this map are reserved for the use of the Army.
9. All areas shown on this map are reserved for the use of the Army.
10. All areas shown on this map are reserved for the use of the Army.

SURVEILLANCE AND ENFORCEMENT DIVISION
BUREAU OF SOLID WASTE MANAGEMENT
TEXAS DEPARTMENT OF HEALTH
UNAUTHORIZED SITE REPORT

7800-1
HITC 32408
Site #: 014030
Region #: 1
County: BELL

Inspection Date: JUL 25, 1991

***** GENERAL INFORMATION *****

Owner(s): JOSEPH C. FOWLER Operator(s): _____
 Mailing Address: RURAL ROUTE 3 BOX 70 Mailing Address: _____
TEMPLE, TX. 76501
 Street Address: _____ Street Address: _____
 Telephone Number: (817) 771-1804 Telephone Number: _____
 Site Location: NORTH OF TOWER RD. ABOUT 0.7 MI EAST LOOP 363
 Person(s) Contacted: _____
 Person(s) Participating in Inspection: _____
 Purpose of Inspection: Enforcement / Comp. Sch. / (Complaint) / Court Order
 Field Representative(s): J. MONT CALDRES Pictures Taken: (Yes) / No

***** INSPECTION RESULTS *****
 Mark the appropriate answer to each of the following questions. Explain answers on Comments Form. (Attach SEF.26 for Comments)

- | | | | | | | |
|-------------------------------------|--------------------------|--------------------------|---|-------------------------------------|--------------------------|--------------------------|
| Yes | No | Unk | | Yes | No | Unk |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | A. Is the disposal operation being conducted by or with authorization from landowner? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | B. Is there any indication that tipping fees are being charged? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | C. Is the site active and receiving waste? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | D. Is there any indication of groundwater or surface water contamination? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | E. Is there any indication that solid waste is burned at the site? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | F. Is waste being placed in unconfined water? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | G. Are drainage controls provided? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | H. Does site have means for fire protection? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Description of solid waste being deposited: BUILDING DEMOLITION DEBRIS

Acres filled: — Approximate dimensions of active disposal area: 50' x 400'

Describe the general topography and soil conditions at the site (e.g. gravel or sand pit, rock quarry, on the ground, etc.)
ROLLING TERRAIN, BLACK HUMID SOIL

Describe observed conditions such as locations of homes, water wells, etc., in the vicinity of the site:
RURAL TYDE AREA - FEW HOMES WITHIN 500 FT

What kind of equipment is on site? NONE

List known transporters (including mailing address) utilizing site on separate sheet.
 Make a simple line drawing on separate sheet of paper keyed to photographs, showing the area of waste deposited, boundaries of site, nearby roads, streams, houses, water wells, etc.

Field Representative's Signature J. MONT CALDRES D.E. Date AUG 2, 1991

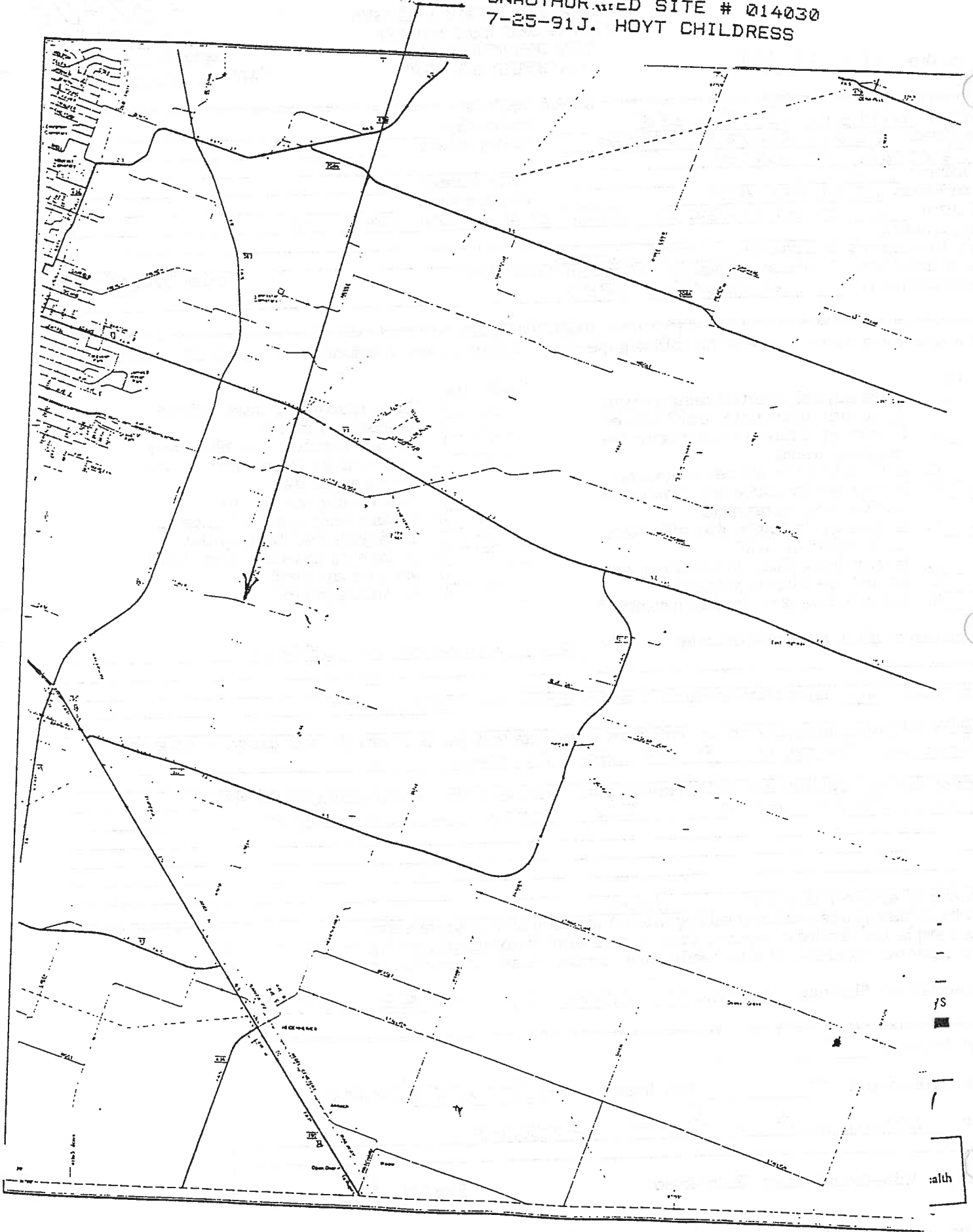
Date of Last Inspection _____

Date of Last Correspondence _____ Next Inspection Date SEE LTR. (60 DAYS)

Comments: Comments on Photos ATTACHED

Classification: White-Central Office Yellow-Region

BELL COUNTY
JOSEPH C. FOWLER PROP.
UNAUTHORIZED SITE # 014030
7-25-91J. HOYT CHILDRESS



YS
alth

JOSEPH C. FOWLER
AUTH. SITE
Inspection Date JUL. 25, 1991

SUPERVISOR
SURVEILLANCE AND ENFORCEMENT DIVISION
BUREAU OF SOLID WASTE MANAGEMENT
TEXAS DEPARTMENT OF HEALTH

Site No. 01030
Reg No. 1
County BELL

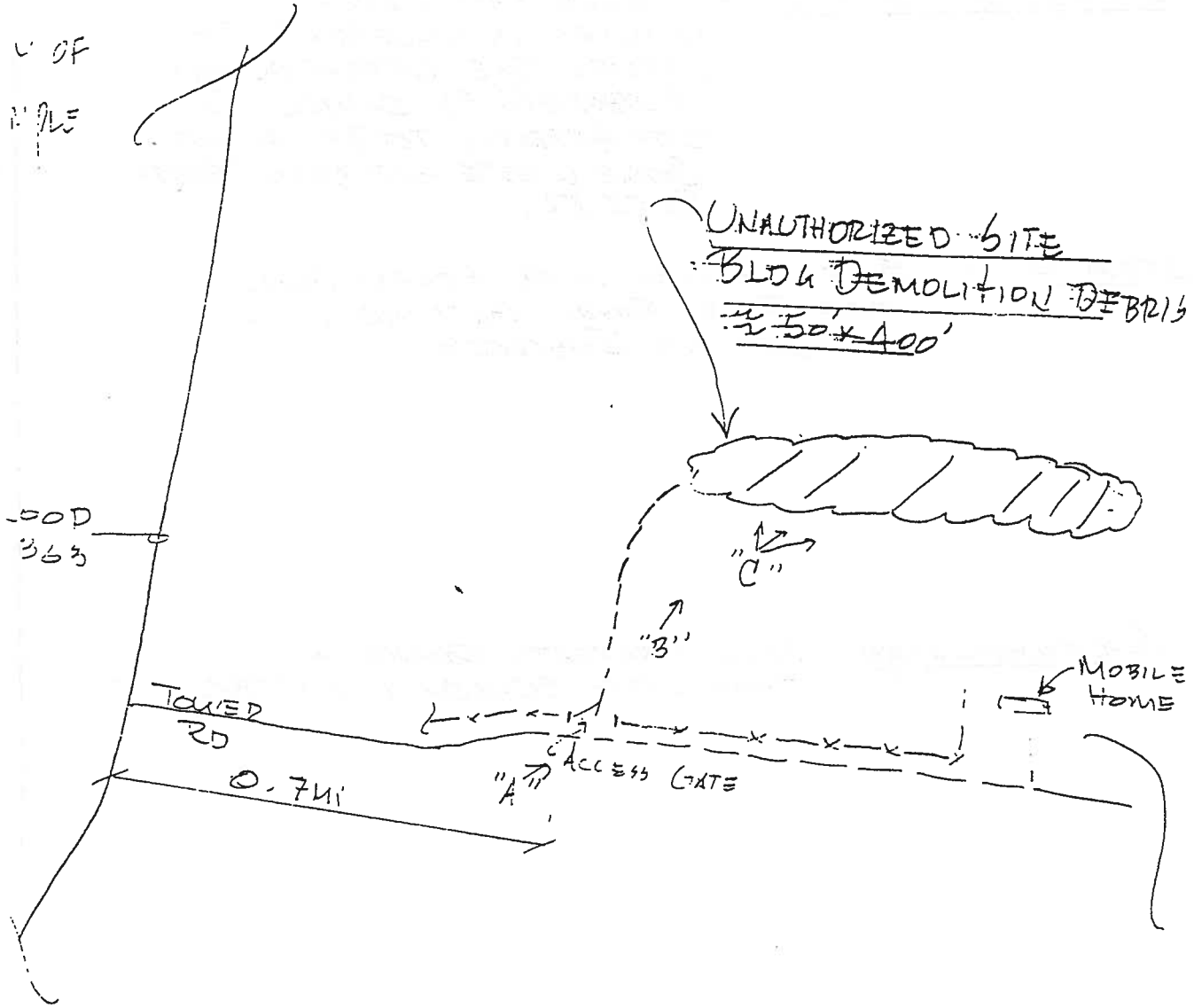
COMMENTS

1. ITEMS "A", "B", & "C" - COULD NOT VERIFY OWNER'S INVOLVEMENT. IT APPEARS THE OPERATION WAS AUTHORIZED BY OWNER. THE SITE APPEARED TO BE ACTIVE, SOME WASTE HAD BEEN DROPPED RECENTLY.
2. ITEM "J" - SITE IS FENCED WITH ACCESS GATE OFF TOWER ROAD. GATE WAS OPEN ON DATE OF INSPECTION.

RECOMMENDATION: SEND PROPERTY OWNER A COMPLIANCE SCHEDULE LETTER

Suggested Type of Letter COMPLIANCE SCHEDULE - COPY ATTACHED
TDEM Representative's Signature [Signature] P.I.E. Date AUG. 2, 1991

BELL COUNTY
JOSEPH L. FOWLER PROP.
UNAUTHORIZED SITE # 014030
7-25-91J. HOYT CHILDRESS

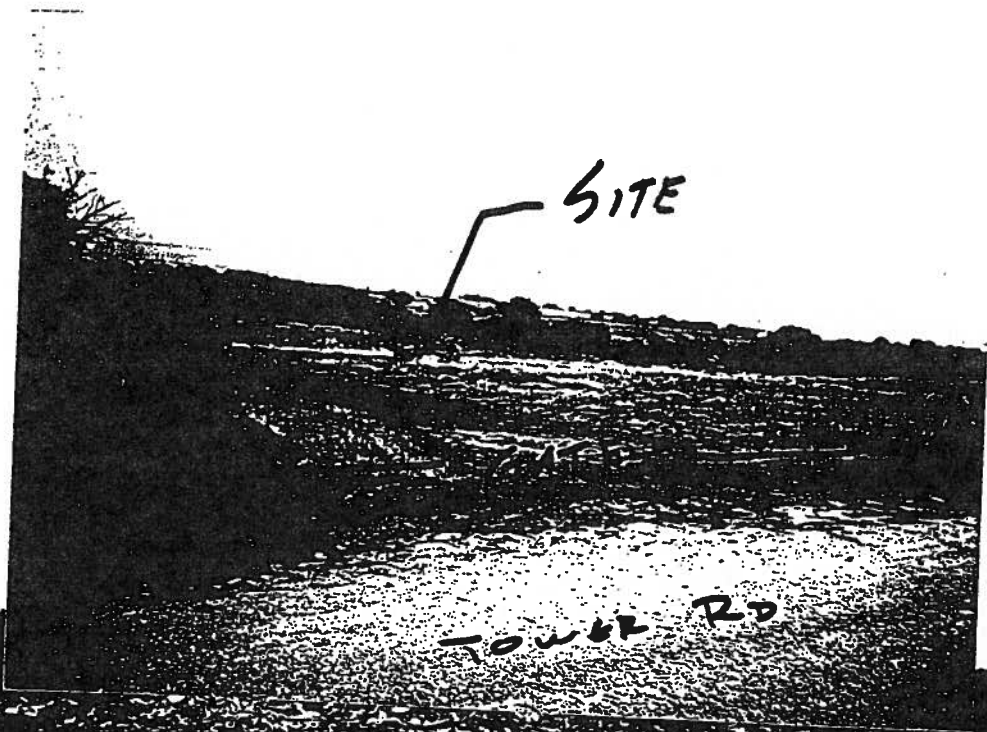


30FN

SKETCH
AUG. 1, 1991

4V
IR

BELL COUNTY
JOSEPH FOWLER PROP.
UNAUTHORIZED SITE # 014030
7-25-91J. HOYT CHILDRESS



Licetly



Texas Department of Health

Robert Bernstein, M.D., F.A.C.P.
Commissioner

Robert A. MacLean, M.D.
Deputy Commissioner

Public Health Region 1
2408 South 37th Street
Temple, Texas 76504-7168
(817) 778-6744
Fax (817) 778-4066

Chas. R. Webb, Jr., M.D., M.P.H.
Regional Director

August 2, 1991

Mr. Joseph C. Fowler
Rural Route 3, Box 70
Temple, Texas 76501-9502

Certified Mail
Return Receipt Requested

Subject: Solid Waste - Bell County
Unauthorized Solid Waste Disposal Activities
Loc. on N. Side of Tower Rd, About 0.7 Mi.
E. of Loop 363

Dear Mr. Fowler:

On July 25, 1991, my representative, J. Hoyt Childres, P.E., inspected a solid waste disposal site at the subject location that is reportedly on property owned by you.

During the inspection of the subject solid waste disposal site, it was found that the site was in violation of State law and the requirements of the Texas Department of Health's "Municipal Solid Waste Management Regulations" (MSWMR).

The rule violated is stated in the following section of the MSWMR:

325.51: "No municipal solid waste site shall be operated without a permit from the Department....."

No additional solid waste may be deposited or allowed to be deposited and all previously deposited waste must be removed to an approved disposal site. Any other disposal method must receive prior approval from the Department.

Subchapter H of the MSWMR establishes procedures used by the Department to bring municipal solid waste sites into compliance with the Department's regulations. In accordance with Subchapter H, the following compliance schedule must be implemented:

1. Within 2 days of the receipt of this letter, you must take the necessary action to halt all municipal solid waste disposal at the above location, including brush and construction or demolition debris, and prevent any additional waste from being deposited at this site. This must be accomplished by posting signs, creating entry obstructions, or taking other such action as necessary to prevent municipal solid waste from being deposited at this unauthorized site.

Mr. Joseph C. Fowler
Solid Waste - Bell County

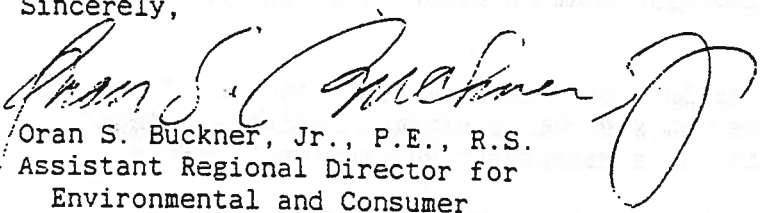
Page 2

2. The site must be cleaned up no later than 60 days after receipt of this letter. If you desire to operate a solid waste disposal site at this location, you must obtain a permit from this Department for the operation of the site.

Failure to properly close this site will constitute a further violation of the MSWMR and may result in the Department seeking legal relief in accordance with appropriate State statutes. The "Solid Waste Disposal Act" provides for administrative penalties of up to \$10,000.00 per day or court-ordered civil penalties in the amount of not less than \$100.00 nor more than \$25,000.00 per violation per day of violation should legal relief be required. State law further provides that the Attorney General's Office may recover reasonable attorney's fees in a suit of this type.

My representative will inspect this site soon after the date established in Item Number 2 to determine that all wastes have been properly removed. If you have any questions concerning this letter, please do not hesitate to contact me.

Sincerely,



Oran S. Buckner, Jr., P.E., R.S.
Assistant Regional Director for
Environmental and Consumer
Health Protection

OSB:JHC:apr

ccs: Bell County Health Department
IDH, Bureau of Solid Waste Management ✓



U2526

TEXAS DEPARTMENT OF HEALTH
ENVIRONMENTAL AND CONSUM.
HEALTH PROTECTION SERVICES

File

Co. BELL
No. 32448

COMPLAINT/TECHNICAL ASSISTANCE REQUEST FORM

<input type="checkbox"/> Environmental Health	<input type="checkbox"/> Food & Drug	<input type="checkbox"/> Milk & Dairy	<input type="checkbox"/> Product Safety	<input type="checkbox"/> Shellfish San.
<input type="checkbox"/> Pollution Control	<input type="checkbox"/> General Sanitation	<input type="checkbox"/> Occupational Health	<input type="checkbox"/> Water Hygiene	
<input type="checkbox"/> Solid Waste Mgt.	<input type="checkbox"/> Compl. & Insp.	<input type="checkbox"/> Lic., Reg. & Stan.	<input type="checkbox"/> Incident No.	
<input checked="" type="checkbox"/> Veterinary Pub. Hlth.	<input type="checkbox"/> Permits & Reg.	<input type="checkbox"/> Plans & Programs	<input checked="" type="checkbox"/> Surv. & Enforcement	
	<input type="checkbox"/> Cooperative Meat Inspection	<input type="checkbox"/> Zoonosis Control		

Type of Request/Complaint: Telephone Written Visit Referral from: _____
Complainant (Name): _____

Address: _____ Telephone: _____
City: _____ State: _____ Zip: _____
Complaint Site: Owner/Establishment JOSEPH C. FOWLER (JERRY FOWLER)
Address: RURAL ROUTE 3 BOX 70 Telephone: (817) 771-1804
City: TEMPLE Zip: 76501 Co. BELL Region: 1 License/Regis./Permit No. _____

Description of Complaint/Request: UNAUTH. SITE, BLDG. DEBRIS & HOUSEHOLD GARBAGE

Location: TOWER RD ABOUT 1 MI. EAST OF LOOP 363, TEMPLE ON LEFT JUST BEYOND CREEK.

Person Receiving Complaint/Request: J. Hoyt CHARLES Date: JUL. 22, 1991
Reported to: _____ Date: _____
Investigated by: J. Hoyt CHARLES Date: JUL. 25, 1991

Position and Action Taken:
JUL. 29, 1991 - INSPECTED SITE - FOUND A LARGE AMOUNT OF BLDG DEMOLITION DEBRIS
AUG. 1, 1991 - VISITED BELL CO. TAX APPRAISAL OFFICE - DETERMINED OWNERSHIP
AUG. 2, 1991 - CALLED OWNER - NO ANSWER - WILL KEEP TRYING

Follow-up Inspection? Yes No When? 366 LTR Notice Given? Yes No 60 days

Reviewed by: [Signature] Title: ENGINEER
[Signature] Title: REG-ENGR, P.H.D. - 1

Distribution
White - Central Office
Canary - Region/Local Health

VOL. 3594 PAGE 348

FIELD NOTES for a tract of land in Bell County, Texas, out of and a part of the Maxim Moreno Survey, Abstract #14, and the land herein described being that cert. 10.818 acre tract described in a Deed from Gale Davidson, Et Al, to Harold Ray Cosper, Trustee, said Deed being of record in Volume 1819, Page 599, Deed Records of Bell County, Texas.

BEGINNING at an iron rod found in a fence corner in the north margin of Taver Road at the southwest corner of the said 10.818 acre tract for the southwest corner of this.

THENCE with the said north margin as follows to-wit: S. 73° 41' 42" E. 524.47 feet, an iron rod found, S. 56° 07' 44" E. 74.39 feet, a power pole and S. 73° 19' 58" E. 214.33 feet to an iron pipe in a fence corner for the southeast corner of this.

THENCE N. 14° 55' 08" E. 196.60 feet with an existing fence to an iron pipe in a fence corner for the most easterly northeast corner of this.

THENCE N. 72° 02' 06" W. 91.55 feet with an existing fence to an iron pipe in a fence corner for an ell corner of this.

THENCE N. 09° 52' 26" E. at 452.55 feet pass an iron pipe on the south bank of Little Elm Creek and at 476.40 feet in all to a point in the said creek for the most northerly northeast corner of this.

THENCE N. 71° 07' 04" W. 627.48 feet with an existing fence part way, to an iron pipe in a fence corner for the northwest corner of this.

THENCE S. 19° 06' 57" W. 677.82 feet to the place of BEGINNING containing 10.808 acres of land, as fenced and evidenced on the ground.

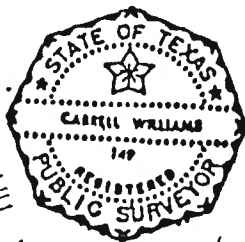
.....

STATE OF TEXAS |
COUNTY OF BELL |

KNOW ALL MEN BY THESE PRESENTS, that I, Carrell Williams, Registered Public Surveyor, do hereby certify that I did cause to be surveyed on the ground the above described tract of land and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 14th day of June, A.D., 1983.

Carrell Williams
Registered Public Surveyor



RECORDED
JUN 15 1983

913700

ACF
JDF

ym7

9701-18803

(D)

EXHIBIT A

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

Vada Sutton
CO. CLERK, BELL CO., TX

A. Centers

WARRANTY DEED

Date: March 18, 1997

Grantor: Joseph C. Fowler and Glenda Marie Fowler and Joel Dean Fowler

Grantor's Mailing Address
Texas 76501
(including county):
Texas 76504

4180 Tower Road, Temple, Bell County,
6881 ASA Road, Temple, Bell County,

Grantee: William K. Payne and William Michael Payne, as trustees of the William K. Payne and Barbara W. Payne Revocable Trust dated December 30, 1996

Grantee's Mailing Address
(including county): 4331 Tower Road
Temple, Bell County, Texas 76501

Consideration: Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged; and for the further consideration of the assumption by the Grantee of all ad valorem taxes on the hereinafter described property for 1997 and subsequent years.

Property (including any improvements):

Being 10.808 acres of land, more or less, out of the Maximo Moreno Survey, Abstract #14, Bell County, Texas, being more particularly described by metes and bounds in fieldnotes attached hereto and incorporated herein as Exhibit "A".

Reservations from and Exceptions to Conveyance and Warranty: This conveyance is made subject to the easements and restrictions affecting said property of record in Bell County, Texas, if any, but only to the extent they are in effect on this date and to all zoning laws, regulations and ordinances of all governmental authorities, if any, but only to the extent they are still in effect.

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

17730197

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000



Vada Sutton
CO. CLERK, BELL CO., TX

VOL. 3594 PAGE 346

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.

Executed this the 18th day of March, 1997.

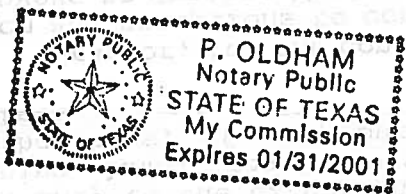
Joseph C. Fowler
Joseph, C. Fowler

Joel Dean Fowler
Joel Dean Fowler

Glenda Marie Fowler
Glenda Marie Fowler

STATE OF TEXAS §
 §
COUNTY OF BELL §

This instrument was acknowledged before me on the 18th day of March, 1997, by Joseph C. Fowler and Joel Dean Fowler and Glenda Marie Fowler.



P. Oldham
Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:

PREPARED IN THE LAW OFFICE OF:
BOWMER, COURTNEY, BURLESON
NORMAND & MOORE
First National Bank Building
P.O. Box 844
Temple, Texas 76503

17730197

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL. ON FILE

AUG 09 2000

Vada Sutton
CO. CLERK, BELL CO., TX

VOL. 3534 PAGE 317

Closed Landfill Inventory
Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number U2527

Location and Boundary

COG Confidence Level 75%
Latitude 31.0747 N
Longitude 97.4128 W
Narrative Location Description On Shallow Ford West Rd, 5 miles south of Midway Rd.
Boundary Description See Deed
Basic Land Units Tract 021203, Block 1050

Land Use Vacant

Ownership Information

Current Property Owner(s) Billy Bachmayer
Current Owner(s) Address 3903 Shallow Ford West Rd. Temple, TX 76501
Dates of Ownership Unknown
Land Unit Unknown

Site History and Current Status

Previous Owner(s) G.C. Slough and Durinda Slough
Dates of Operation 1991-1991
Enforcement History Unknown
Types of Waste Disposed Asphalt, Shingles, Sheetrock, Lumber, Brush

Reference Attachments

Warranty Deed July 1997
Warranty Deed June 1979
Texas Department of Health Complaint Form Dec. 1990
Texas Department of Health Letter Regarding Inspection Jan. 1991
Texas Department of Health Site Report July 1991
Texas Department of Health Letter Regarding Inspection July 1991



2527

TEXAS DEPARTMENT OF HEALTH
ENVIRONMENTAL AND CONSUMER
HEALTH PROTECTION SERVICE

File

Co. Bell
No. 32447
014017

COMPLAINT/TECHNICAL ASSISTANCE REQUEST FORM

<input type="checkbox"/> Environmental Health	<input type="checkbox"/> Food & Drug	<input type="checkbox"/> Milk & Dairy	<input type="checkbox"/> Product Safety	<input type="checkbox"/> Shellfish San.
<input type="checkbox"/> Air Pollution Control	<input type="checkbox"/> General Sanitation	<input type="checkbox"/> Occupational Health	<input type="checkbox"/> Water Hygiene	
<input type="checkbox"/> Solid Waste Mgt.	<input type="checkbox"/> Compl. & Insp.	<input type="checkbox"/> Lic., Reg. & Stan.	Incident No. _____	
<input checked="" type="checkbox"/> Veterinary Pub. Hlth.	<input type="checkbox"/> Permits & Reg.	<input type="checkbox"/> Plans & Programs	<input checked="" type="checkbox"/> Surv. & Enforcement	
	<input type="checkbox"/> Cooperative Meat Inspection	<input type="checkbox"/> Zoonosis Control		

Form of Request/Complaint: Telephone Written Visit Referral from: _____

Notification (Name): _____

Address _____ Telephone (_____) _____

City _____ State _____ Zip _____

Complaint Site: Owner/Establishment Billy Bachmayer

Address 3903 Shallow Ford West Road Telephone (817) 778-2618

City Temple Zip 76501 Co. Bell Region 1 License/Regis./Permit No. _____

Description of Complaint/Request: Illegal dumping of construction debris. Off Shallow Ford RD. where it runs into Midway Rd. east of IH-35. Down Shallow Ford Rd. across from Odell Gear.

Receiving Complaint/Request: Ben E. Milford Date: 12-20-90

Referred to: _____ Date: _____
Investigated by: Mr. Milford Date: 1-22-90

Disposition and Action Taken: 1-22-91 Inspected site and found a large amount of brush & const. debris dumped in as old excavated pit. Talked with Mr. Bachmayer and Mr. Ronald White, owners of the property. I told them that the site was illegal, that the dumping would have to stop and the property cleaned up. They said that they would clean up the site in approximately 30 or 40 days.

7-2-91 Follow up inspection, little change ~~not~~ noted. Inspected by Mike Meriage.

7-30-91 Inspected site. Much has been removed, but some construction debris still needs to be taken to a permitted landfill. Talked to Mr. Bachmayer about what needs to be done. He said that he thought that he could have it removed in 60 days. He also said that he has hauled a large portion of the waste to the landfill, and has paid over \$1000.00 so far.

Sent letter dated 7-30-91 setting a compliance date of 9-30-91.

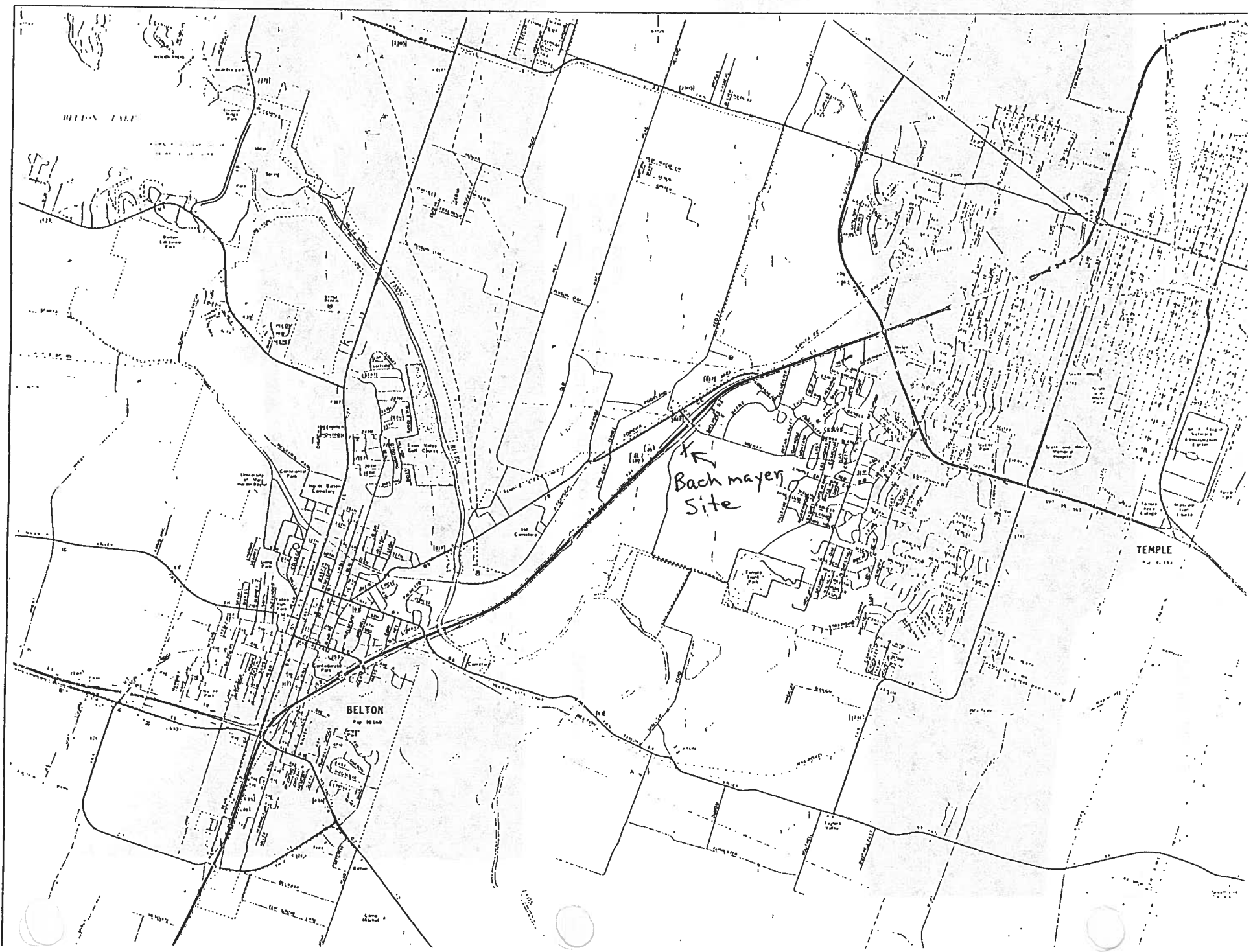
/See illegal site form dated 7-30-91

Follow-up Inspection? Yes No When? October 91 Notice Given? Yes No 60 days

By: Ben E. Milford Title: Geologist, R.S.

Reviewed by: Paul S. [Signature] Title: Reg. Engr - P102-1

Distribution
White - Central Office
Canary - Region/Local Health
Pink - Originator



HILLTOP LAKE

BELTON
Pop. 10,000

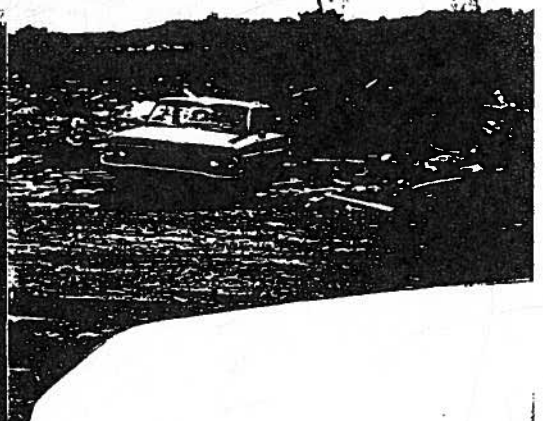
Bachmayer
Site

TEMPLE
Pop. 10,000



Picture taken facing east looking
into the property from Shallow
Ford Road.

Photo No. 1



Picture taken standing near
the center of the property
facing to the south.

Photo No. 2



Texas Department of Health

Robert Bernstein, M.D., F.A.C.P.
Commissioner

Robert A. MacLean, M.D.
Deputy Commissioner

Public Health Region 1
2408 South 37th Street
Temple, Texas 76504-7168
(817) 778-6744
Fax (817) 778-4066

Chas. R. Webb, Jr., M.D., M.P.H.
Regional Director

January 22, 1991

Billy Bachmayer
3903 Shallow Ford West Road
Temple, Texas 76501

Certified Mail
Return Receipt Requested

Subject: Solid Waste - Bell County
Unauthorized Solid Waste Disposal Activities
Located on Shallow Ford West Road, Approximately
One-Half Mile South of Midway Road, in Temple

Dear Mr. Bachmayer:

On January 22, 1991, my representative, Ben E. Milford, Geologist, inspected a solid waste disposal site at the subject location that is reportedly on property owned by you.

During the inspection of the subject solid waste disposal site, it was found that the site was in violation of State law and the requirements of the Texas Department of Health's "Municipal Solid Waste Management Regulations" (MSWMR).

The rule violated is stated in the following section of the MSWMR:

325.51: "No municipal solid waste site shall be operated without a permit from the Department....."

No additional solid waste may be deposited or allowed to be deposited and all previously deposited waste must be removed to an approved disposal site. Any other disposal method must receive prior approval from the Department.

Subchapter H of the MSWMR establishes procedures used by the Department to bring municipal solid waste sites into compliance with the Department's regulations. In accordance with Subchapter H, the following compliance schedule must be implemented:

1. Upon the receipt of this letter, you must take the necessary action to halt all municipal solid waste disposal at the above location, including brush and construction or demolition debris, and prevent any additional waste from being deposited at this site. This must be accomplished by posting signs, creating entry obstructions, or taking other such action as necessary to prevent municipal solid waste from being deposited at this unauthorized site.

Billy Bachmayer
Solid Waste - Bell County

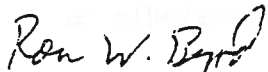
Page 2

2. The site must be cleaned up no later than March 1, 1991. If you desire to operate a solid waste disposal site at this location, you must obtain a permit from this Department for the operation of the site.

Failure to properly close this site will constitute a further violation of the MSWMR and may result in the Department seeking legal relief in accordance with appropriate State statutes. The "Solid Waste Disposal Act" provides for administrative penalties of up to \$10,000.00 per day or court-ordered civil penalties in the amount of not less than \$100.00 nor more than \$25,000.00 per violation per day of violation should legal relief be required. State law further provides that the Attorney General's Office may recover reasonable attorney's fees in a suit of this type.

My representative will inspect this site in approximately 40 days to determine that all wastes have been properly removed. If you have any questions concerning this letter, please do not hesitate to contact me.

Sincerely,



for Oran S. Buckner, Jr., P.E., R.S.
Assistant Regional Director for
Environmental and Consumer
Health Protection

OSB:BEM:bw

ccs: Bell County Health Department
TDH, Bureau of Solid Waste Management

SURVEILLANCE AND ENFORCEMENT DIVISION
BUREAU OF SOLID WASTE MANAGEMENT
TEXAS DEPARTMENT OF HEALTH
UNAUTHORIZED SITE REPORT

014017

Site #: 32407
Region #: 1
County: Bell

Inspection Date: 7-30-91

***** GENERAL INFORMATION *****

Landowner(s): Billy Bachmayer Operator(s): _____
Mailing Address: 3903 Shallow Ford West RD. Mailing Address: _____
Street Address: _____ Street Address: _____
Telephone Number: (817) 778-2618 Telephone Number: _____
Site Location: Approx. 1/2 mi. S. of Shallow Ford West Pd. & Midway in SW part of Temple
Person(s) Contacted: Billy Bachmayer
Person(s) Participating in Inspection: none
Purpose of Inspection: Enforcement / Comp. Sch. / Complaint / Court Order Pictures Taken: (Yes) ~~No~~
TDH Representative(s): Ben E. Milford, Geologist, R.S.

***** INSPECTION RESULTS *****

Check the appropriate answer to each of the following questions. Explain answers on Comments Form. (Attach SEF.26 for Comments)

- | | | |
|---|---|---|
| Yes No Unk | | Yes No Unk |
| <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | A. Is the disposal operation being conducted by or with authorization from landowner? | <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> I. Is the unloading of waste confined? |
| <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> | B. Is there any indication that tipping fees are being charged? | <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> J. Is access controlled? |
| <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> | C. Is the site active and receiving waste? | <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> K. Is there significant windblown waste? |
| <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> | D. Is there any indication of groundwater or surface water contamination? | <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> L. Is there a significant amount of waste on the access road? |
| <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> | E. Is there any indication that solid waste is burned at the site? | <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> M. Is scavenging being allowed? |
| <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> | F. Is waste being placed in unconfined water? | <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> N. Is waste being spread and compacted? |
| <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> | G. Are drainage controls provided? | <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> O. Is adequate cover being applied? |
| <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> | H. Does site have means for fire protection? | <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> P. Is there any upgradient ponded water? |
| | | <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> Q. Are there any odors? |
| | | <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> R. Are vectors present? |

S. Description of solid waste being deposited: Asphalt shingles, sheetrock, lumber, brush.....

T. Acres filled: _____ Approximate dimensions of active disposal area: 2 areas—one 30'X100 and one 50'X200'

U. Describe the general topography and soil conditions at the site (e.g. gravel or sand pit, rock quarry, on the ground, etc.)
The area appears to have has gravel and clay removed and the dumping has occurred in and around the excavated areas.

V. Describe observed conditions such as locations of homes, water wells, etc., in the vicinity of the site:
One residence about 100 yards to the west of the site.

W. What kind of equipment is on site? Construction type equipment. Owner owns Construction company.

X. List known transporters (including mailing address) utilizing site on separate sheet.

Y. Make a simple line drawing on separate sheet of paper keyed to photographs, showing the area of waste deposited, boundaries of site, nearby roads, streams, houses, water wells, etc.

TDH Representative's Signature Ben E. Milford Date 7-30-91

Date Last Inspection 1-22-91

Date Last Correspondence 1-22-91 Next Inspection Date 10-91

Comments: A large portion of the material has been removed from the site since the last inspection.

Distribution: White-Central Office Yellow-Region

*EE

014017

Crush, asphalt shingles,
Sheetrock, lumber.....

+ 1/2 mi
to Midway Rd.

This material has
been removed since
last inspection.



1 on 7-30-91
2 on 1-22-91 + 7-30-91

3 on 7-30-91

This material
still needs to
be removed.

on 1-22-91



Billy Bachmayer Property
Bell County
7-30-91
Ben E. Milford

Photo Key

Shallow Trenches



Texas Department of Health

Robert Bernstein, M.D., F.A.C.P.
Commissioner

Robert A. MacLean, M.D.
Deputy Commissioner

Public Health Region 1
2408 South 37th Street
Temple, Texas 76504-7168
(817) 778-6744
Fax (817) 778-4066

Chas. R. Webb, Jr., M.D., M.P.H.
Regional Director

July 30, 1991.

Mr. Billy Bachmayer
3903 Shallow Ford West Road
Temple, Texas 76501

Certified Mail
Return Receipt Requested

Subject: Solid Waste - Bell County
Unauthorized Solid Waste Disposal Activities
Loc. on Shallow Ford Rd., Approx. 1/2 Mi. S. of
Midway Rd. in Temple

Dear Mr. Bachmayer:

On July 30, 1991, my representative, Ben E. Milford, Geologist, inspected a solid waste disposal site at the subject location that is reportedly located on property owned by you.

During the inspection it was found that the unauthorized site was still in violation of State law and requirements of the Texas Department of Health's "Municipal Solid Waste Management Regulations" (MSWMR), as outlined in this Department's letter to you dated January 22, 1991. This area still contains construction debris which needs to be removed to a permitted solid waste disposal site. It must be brought into compliance with the conditions of the MSWMR and the previous correspondence prior to September 30, 1991. However, progress towards the completion of the conditions as outlined by previous correspondence has been made. We appreciate your efforts to date.

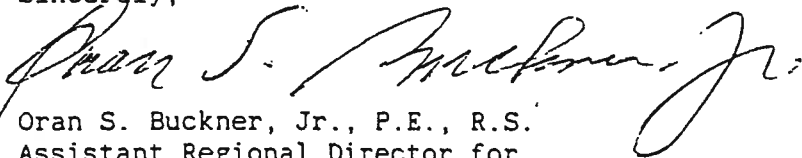
Failure to comply with the terms of this letter will constitute a further violation of the MSWMR and may result in the Department seeking legal relief in accordance with appropriate State statutes. The "Solid Waste Disposal Act" provides for administrative penalties of up to \$10,000.00 per day or court-ordered civil penalties in the amount of not less than \$100.00 nor more than \$25,000.00 per violation per day of violation should legal relief be required. State law further provides that the Attorney General's office may recover reasonable attorney's fees in a suit of this type.

Mr. Billy Bachmayer .
Solid Waste - Bell County

Page 2

If you have any questions concerning this letter, please do not hesitate to contact me.

Sincerely,



Oran S. Buckner, Jr., P.E., R.S.
Assistant Regional Director for
Environmental and Consumer
Health Protection

OSB:BEM:apr

ccs: Bell County Health Department
✓TDH, Bureau of Solid Waste Management

WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS

COUNTY OF BELL

}

KNOW ALL MEN BY THESE PRESENTS:

That we, G. C. SLOUGH and wife, DURINDA SLOUGH,

of the County of Bell and State of Texas for and

in consideration of the sum of TWENTY FIVE THOUSAND AND NO/100 (\$25,000.00) DOLLARS and other valuable consideration to the undersigned paid by the grantees herein named, the receipt of which is hereby acknowledged, and the further consideration of :

(a) The sum of SEVEN THOUSAND AND NO/100 (\$7,000.00) DOLLARS, to us cash in hand paid by the grantees herein named, and as to which no lien, either expressed or implied, is retained or shall exist;

(b) The execution and delivery by the said BILLY BACHMAYER and wife, JESSICA BACHMAYER, of their one certain promissory vendor's lien note in the principal sum of EIGHTEEN THOUSAND AND NO/100 (\$18,000.00) DOLLARS, payable to the order of G. C. SLOUGH, bearing interest, payable in installments and containing provisions as to past-due principal and interest, acceleration of maturity, attorney's fees and prepayment privileges as therein provided,

(c) The agreement by the said BILLY BACHMAYER and wife, JESSICA BACHMAYER, to assume the payment of all 1977 taxes upon the hereinafter described and conveyed property,

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000



Vada Sutton
CO. CLERK, BELL CO., TX

the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust of even date herewith to JOHN B. DANIEL, JR., Trustee,

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto BILLY BACHMAYER and wife, JESSICA BACHMAYER,

of the County of Bell and State of Texas, all of the following described real property in Bell County, Texas, to-wit:

See EXHIBIT "A" attached hereto and by reference made a part hereof for all pertinent purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantees, their heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof when this Deed shall become absolute.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000



Vada Sutton
CO. CLERK, BELL CO., TX

EXECUTED this 20th day of July, A. D. 1977.

G. C. SLOUGH

DURINDA SLOUGH

SITUATED IN THE COUNTY OF BELL, STATE OF TEXAS, TO-WIT:

A Tract of land out of the GEORGE GIVENS SURVEY, ABSTRACT NO. 345, in Bell County, Texas, and being that same tract that was conveyed to Lonnie Busby by a deed from Jesse S. Blair and H. T. Cochran and of record in Vol. 305 Page 471 of the Deed Records of Bell County, Texas, and being more particularly described as follows:

BEGINNING at the southeast corner of that certain tract called Nelson Tract that is described in a deed recorded in Vol. 285, Page 210 of the Deed Records of Bell County, an iron pin for the northeast corner of this;

THENCE N 73° 20' W 905.16 ft. along the south line of said Nelson Tract and the north line of this as fenced on the ground to an iron pin in the east margin of a county road for the northwest corner of this;

THENCE S 21° 39' W 19.16 ft. a post in the east margin of said road for a corner of this;

THENCE S 11° 22' W 93.58 ft. and S 17° 16' W 175.77 ft. along the east margin of said road to a post for the southwest corner of this;

THENCE S 73° 27' 30" E 824.75 ft. along the south line of this to an iron pin for the southeast corner of this;

THENCE N 2° 10' E 245.43 ft. to the place of beginning, containing 4.87 acres.

EXHIBIT "A"

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000


CO. CLERK, BELL CO., TX

(Acknowledgment)

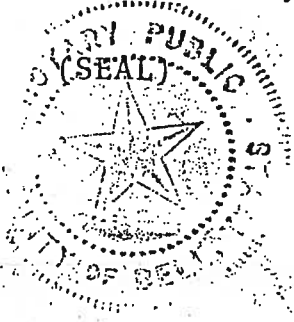
THE STATE OF TEXAS
COUNTY OF BELL

Before me, the undersigned authority, on this day personally appeared G. C. SLOUGH and wife,
DURINDA SLOUGH,

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

Given under my hand and seal of office on this the 20th day of July, A. D. 19 77.

John W. White
Notary Public in and for Bell County, Texas.



(Acknowledgment)

THE STATE OF TEXAS
COUNTY OF

Before me, the undersigned authority, on this day personally appeared

known to me to be the person _____ whose name _____ subscribed to the foregoing instrument, and acknowledged to me
that _____ he _____ executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, A. D. 19 _____

Notary Public in and for _____ County, Texas.

FILED FOR RECORD THE 21 DAY OF JULY 1977, AT GA

MRS RUBY MCKEE, COUNTY CLERK

BELL COUNTY, TEXAS
BY [Signature] DEPUTY

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

[Signature]
CO. CLERK, BELL CO., TX

[Signature]

CASH WARRANTY DEED

THE STATE OF TEXAS
COUNTY OF BELL

I
I

KNOW ALL MEN BY THESE PRESENTS:

The we, ALBERT OTTO BACHMAYER, SR., a single man of Bell County, Texas, ALBERT OTTO BACHMAYER, JR., and wife ROSE MARIE BACHMAYER, of Bee County, Texas, RONALD DALE BACHMAYER and wife SANDRA JEAN BACHMAYER, of Bell County, Texas, GAIL FRANCENE BACHMAYER STEPHENS joined herein by my husband BOBBY STEPHENS, of Bell County, Texas, and JOYCE MARIE KIRBY SMITH joined herein by my husband DANIEL JOHNSON SMITH, of McLennan County, Texas, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable considerations to us cash in hand paid by BILLY RAY BACHMAYER from his separate funds and assets, the receipt and sufficiency for which is hereby acknowledged and confessed, and for which no lien, either expressed or implied, is retained, have Granted, Sold and Conveyed, unto the said BILLY RAY BACHMAYER, the County of Bell, State of Texas, all that certain lot, tract or parcel of land lying or being situated in Bell County, Texas and being more particularly described as follows:

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000



Vada Sutton
CO. CLERK, BELL CO., TX

All that certain tract of land in Bell County, Texas, out of and a part of the George Givens Survey, Abstract No. 345, and the land herein described being a part of that certain tract described as 27 acres in a deed from Albert Hill et al to Dollie Hill Nelson, wife of Robert Nelson, said deed being of record in Vol. 216, Page 298, Deed Records of Bell County, Texas, and all of that certain tract described as 1 acre in a deed from Dollie Hill Nelson et vir to Shelby Harrison, said deed being of record in Vol. 253, Page 322, Deed Records of Bell County, Texas, and also out of the tract of land conveyed to Robert Nelson by D. B. Hill et al of record in Vol. 285, Page 210, Deed Records, Bell County, Texas;

BEGINNING at the southeast corner of the R. Q. Stevenson 6.4 acre tract, an iron pipe in the south line of the said 27 acre tract for the southwest corner of this.

THENCE S. 70° 45' 30" E., 231.6 feet with the south line of the said 27 acre tract, as fenced and evidenced on the ground, an iron pipe for the most southerly southeast corner of this.

THENCE N. 37° 21' 50" E., 55.8 feet with a fence to a 4-inch hackberry for a corner of this.

THENCE N. 73° 14' 30" E., 191.0 feet with a fence to a 24-inch live oak for the most easterly southeast corner of this.

THENCE N. 10° 59' 00" E., 183.3 feet with a fence to an iron pipe for the most easterly northeast corner of this.

THENCE N. 64° 07' 10" W., 159.3 feet to an iron pipe for an ell corner of this.

THENCE N. 9° 32' 20" E., 30.4 feet to an iron pipe for the most northerly northeast corner of this and the northeast corner of the said Harrison 1 acre tract.

THENCE N. 73° 10' 50" W., 216.1 feet with the north line of the said Harrison tract to an iron pipe to the northwest corner thereof and of this.

THENCE S. 19° 17' 00" W., 207.5 feet with the west line of the said 1 acre tract to an iron pipe for the southwest corner thereof and a corner of this.

THENCE S. 18° 40' 50" W., 178.1 feet to the place of beginning, containing 3.02 acres of land, being the same property described in the Warranty Deed dated November 12, 1968, from Shelby Harrison and wife Annie Harrison, et al, to Albert Bachmayer and wife Pauline Bachmayer, which deed is recorded in Vol. 1034, Page 347, of the Deed Records of Bell County, Texas, to which and the record thereof reference is here made for all purposes.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

Vada Sutton
CO. CLERK, BELL CO., TX

as his separate property and estate and for his separate use and benefits.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances hereto in anywise belonging unto the said BILLY RAY BACHMAYER, his heirs and assigns forever, and we do hereby bind ourselves, our heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said BILLY RAY BACHMAYER, his heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS our hands at Temple, Texas, this the 9 day of October, 1978.

Albert Otto Bachmayer, Jr.
ALBERT OTTO BACHMAYER, JR.

Rose Marie Bachmayer
ROSE MARIE BACHMAYER

Ronald Dale Bachmayer
RONALD DALE BACHMAYER

Sandra Jean Bachmayer
SANDRA JEAN BACHMAYER

Gail Francene Bachmayer Stephens
GAIL FRANCENE BACHMAYER STEPHENS

Bobby Stephens
BOBBY STEPHENS

Albert Otto Bachmayer
ALBERT OTTO BACHMAYER, SR.

Joyce Marie Kirby Smith
JOYCE MARIE KIRBY SMITH

Daniel Johnson Smith
DANIEL JOHNSON SMITH

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL, ON FILE

AUG 09 2000

STATE OF TEXAS

COUNTY OF BELL

BEFORE ME, the undersigned authority, on this day personally appeared ALBERT OTTO BACHMAYER, JR. and wife ROSE MARIE BACHMAYER, known to me to be the identical person whose names are ~~are~~ subscribed to the foregoing instrument, and 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 3 day of March, A. D. 1978.

(L.S.)

STATE OF TEXAS

COUNTY OF BELL

JC Lock
Notary Public in and for BELL County, Texas.

My Commission Expires: 11-30-78

BEFORE ME, the undersigned authority, on this day personally appeared RONALD DALE BACHMAYER and wife SANDRA JEAN BACHMAYER, known to me to be the identical person whose names are ~~are~~ subscribed to the foregoing instrument, and 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 16 day of MARCH, A. D. 1978.

(L.S.)

STATE OF TEXAS

COUNTY OF BELL

JC Lock
Notary Public in and for BELL County, Texas.

My Commission Expires: 11-30-1980

BEFORE ME, the undersigned authority, on this day personally appeared GAIL FRANCENE BACHMAYER STEPHENS and husband BOBBY STEPHENS, known to me to be the identical person whose names are ~~are~~ subscribed to the foregoing instrument, and 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 3 day of JANUARY, A. D. 1978.

(L.S.)

STATE OF TEXAS

COUNTY OF BELL

JC Lock
Notary Public in and for Bell County, Texas.

My Commission Expires: 11-30-78

BEFORE ME, the undersigned authority, on this day personally appeared ALBERT OTTO BACHMAYER, SR., known to me to be the identical person whose name ~~are~~ is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 3 day of JANUARY, A. D. 1978.

(L.S.)

STATE OF TEXAS

COUNTY OF BELL

JC Lock
Notary Public in and for BELL County, Texas.

My Commission Expires: 11-30-78

CERTIFIED COPY DOCUMENT ATTACHED IS A TRUE & CORRECT COPY OF THE ORIGINAL ON FILE

AUG 09 2000

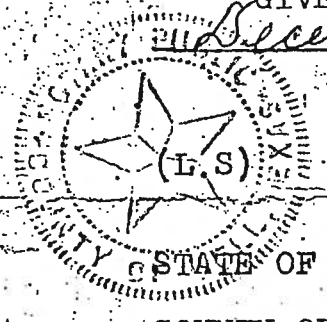
CLERK, BELL CO. TEXAS

STATE OF TEXAS

COUNTY OF BELL

BEFORE ME, the undersigned authority, on this day personally appeared JOYCE MARIE KIRBY SMITH and husband DANIEL JOHNSON SMITH, known to me to be the identical person whose names are/xxx subscribed to the foregoing instrument, and 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 30 day of December, A. D. 1978.



Miss Elaine Smith
Notary Public in and for Bell
County, Texas.

My Commission Expires:

June 1980

STATE OF XXXXXXXXXX
COUNTY OF XXXXXXXXXX

BEFORE ME, the undersigned authority, on this day personally appeared _____ known to me to be the identical person whose name are/is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, A. D. 19____.

(L.S.)

Notary Public in and for _____
County, _____.

My Commission Expires: _____

STATE OF _____

FILED FOR RECORD THIS 22 DAY OF JUNE 1979, AT 8 - A

MRS. RUBY MCKEE, COUNTY CLERK OF BELL COUNTY by _____ DEPUTY

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

Wanda Sutton
CO. CLERK, BELL CO. TX

Centers

Closed Landfill Inventory
Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number U2528

Location and Boundary

COG Confidence Level 25%
Latitude 31.0819 N
Longitude 97.5382 W
Narrative Location Description North side of FM 93, 1 mile east of FM 93 and FM 439 Intersection
Boundary Description No Deed Located
Basic Land Units Tract 021602, Block 1005

Land Use Vacant

Ownership Information

Current Property Owner(s) Don Hatcher
Current Owner(s) Address Unknown
Dates of Ownership Unknown
Land Unit Unknown

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation 1986 – 1991
Enforcement History Unknown
Types of Waste Disposed Lumber

Reference Attachments

None

Closed Landfill Inventory
Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number U2529

Location and Boundary

COG Confidence Level 25%
Latitude 31.0946 N
Longitude 97.6566 W
Narrative Location Description North of Harker Heights
Boundary Description No Deed Located
Basic Land Units Tract 022000, Block 4087

Land Use Vacant or Agriculture

Ownership Information

Current Property Owner(s) C.E. Manning
Current Owner(s) Address Rt. 5 Box 16; Killeen, TX 76541
Dates of Ownership Unknown
Land Unit 1 acre

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation 1988-1988
Enforcement History
Types of Waste Disposed Wood, Metal, Inert Materials

Reference Attachments

Texas Department of Health Violation Notice Jan. 1988



RA

Texas Department of Health

Division of Solid Waste Management

CERTIFIED MAIL - #
RETURN RECEIPT REQUESTED

P 447 317444
9 443

NOTICE OF VIOLATION

Date January 13, 1988

Landowner/Operator C.E. Manning

County Bell

TDH Region 1

Location On a portion of 100 acres, V.L. Evans Survey, Ora Manning Estate

TDH Representative(s) Edward J. Myers, R.S.

During the inspection of the subject solid waste site on the above date, it was found that the facility was operating in violation of State law and the requirements of the Texas Department of Health's "Municipal Solid Waste Management Regulations" (MSWMR).

The rule violated is stated in the following section of the MSWMR:

325.51: "No municipal solid waste site shall be operated without a permit from the department or a license from a county exercising licensing authority, except as authorized herein and in Section 325.52 of this title (relating to Permit Exemptions). ..."

Persons responsible for the unauthorized site must take action as necessary to prevent municipal solid waste from being deposited at this location.

No new solid waste may be deposited or allowed to be deposited and all previously deposited waste must be removed to an approved disposal site. Any other disposal method must receive prior approval from the Department.

Failure to properly close this site will constitute a further violation of the MSWMR and may result in the Department seeking legal relief in accordance with appropriate state statutes. The "Solid Waste Disposal Act" provides for administrative penalties up to \$10,000.00 per day or civil penalties in the amount of no less than \$100.00 or no more than \$25,000.00 per violation per day of violation should legal relief be required. State law further provides that the Attorney General's Office may recover reasonable attorney's fees in a suit of this type.

The noted violation must be corrected prior to March 15, 1988. If you have any questions concerning this notice, please call Mr. Myers or the undersigned at (817) 778-6744.

Oran S. Buckner, Jr.

Oran S. Buckner, Jr., P.E., R.S.
Regional Director of Environmental
and Consumer Health Protection

2-11-88

Date

cc: Division of Solid Waste, Austin
Bell County Health Department

(01/25/88 SE89)

(2524)
2529

mm

7-18-I
2-26-88
JFG
LWS
5-3
31258
Site #:
Region #: 1
County: BELL

SURVEILLANCE AND ENFORCEMENT BRANCH
DIVISION OF SOLID WASTE MANAGEMENT
TEXAS DEPARTMENT OF HEALTH
UNAUTHORIZED SITE REPORT

Inspection Date: 1-13-88

***** GENERAL INFORMATION *****

Owner(s): GE. MANNING Operator(s): ROBBY RENEGAR
Mailing Address: RT 5, BOX 16 Mailing Address: RT 5, BOX 16
KILLEEN, TX 76541 KILLEEN, TX 76541
Street Address: _____ Street Address: _____
Telephone Number: (817) 699-5572 Telephone Number: (817) 699-5572

Site Location: N. OF HARKER HEIGHTS LANDFILL, 100 ACRES OUT OF V.L. EVANS SURVEY
Person(s) Contacted: BILL STOKES SENIOR TRUST OFFICER, FIRST NAT'L BANK; TRIED CONTACTING MR. MANNING
Person(s) Participating in Inspection: NONE BY PHONE
Purpose of Inspection: Enforcement / Comp. Sch. / Complaint / Court Order Pictures Taken: Yes (No)
Site Representative(s): EDWARD J. MYERS, PS

***** INSPECTION RESULTS *****

Check the appropriate answer to each of the following questions. Explain answers on Comments Form.

- Yes No Unk
 X A. Is the disposal operation being conducted by or with authorization from landowner?
- X B. Is there any indication that tipping fees are being charged?
- X C. Is the site active and receiving waste?
- X D. Is there any indication of groundwater or surface water contamination?
- X E. Is there any indication that solid waste is buried at the site?
- X F. Is waste being placed in unconfined water?
- X G. Are drainage controls provided?
- X H. Does site have means for fire protection?

- Yes No Unk
 X I. Is the unloading of waste confined?
- X J. Is access controlled?
- X K. Is there significant windblown waste?
- X L. Is there a significant amount of waste on the access road?
- X M. Is scavenging being allowed?
- X N. Is waste being spread and compacted?
- X O. Is adequate cover being applied?
- X P. Is there any upgradient ponded water?
- X Q. Are there any odors?
- X R. Are vectors present?

Description of solid waste being deposited: WOOD, METAL, INERT MATERIALS

Acres filled: 1.0 Approximate dimensions of active disposal area: 300 x 100

Describe the general topography and soil conditions at the site (e.g. gravel or sand pit, rock quarry, on the ground, etc.)
WASTES APPEAR TO BE PLACED ON GROUND SURFACE, NO EXCAVATION. PROPERTY SLOPES TO THE S. TOWARDS RR TRACK

Describe observed conditions such as locations of homes, water wells, etc., in the vicinity of the site: NO NEAR RESIDENCES. CITY OF HARKER HEIGHTS LANDFILL DUE S. PAST RR TRACKS

What kind of equipment is on site? NONE OBSERVED

List known transporters (including mailing address) utilizing site on separate sheet.

Make a simple line drawing on separate sheet of paper keyed to photographs, showing the area of waste deposited, boundaries of site, nearby roads, streams, houses, water wells, etc.

Site Representative's Signature Edward J. Myers Date 2-11-88

Last Correspondence NONE Next Inspection Date MARCH '88

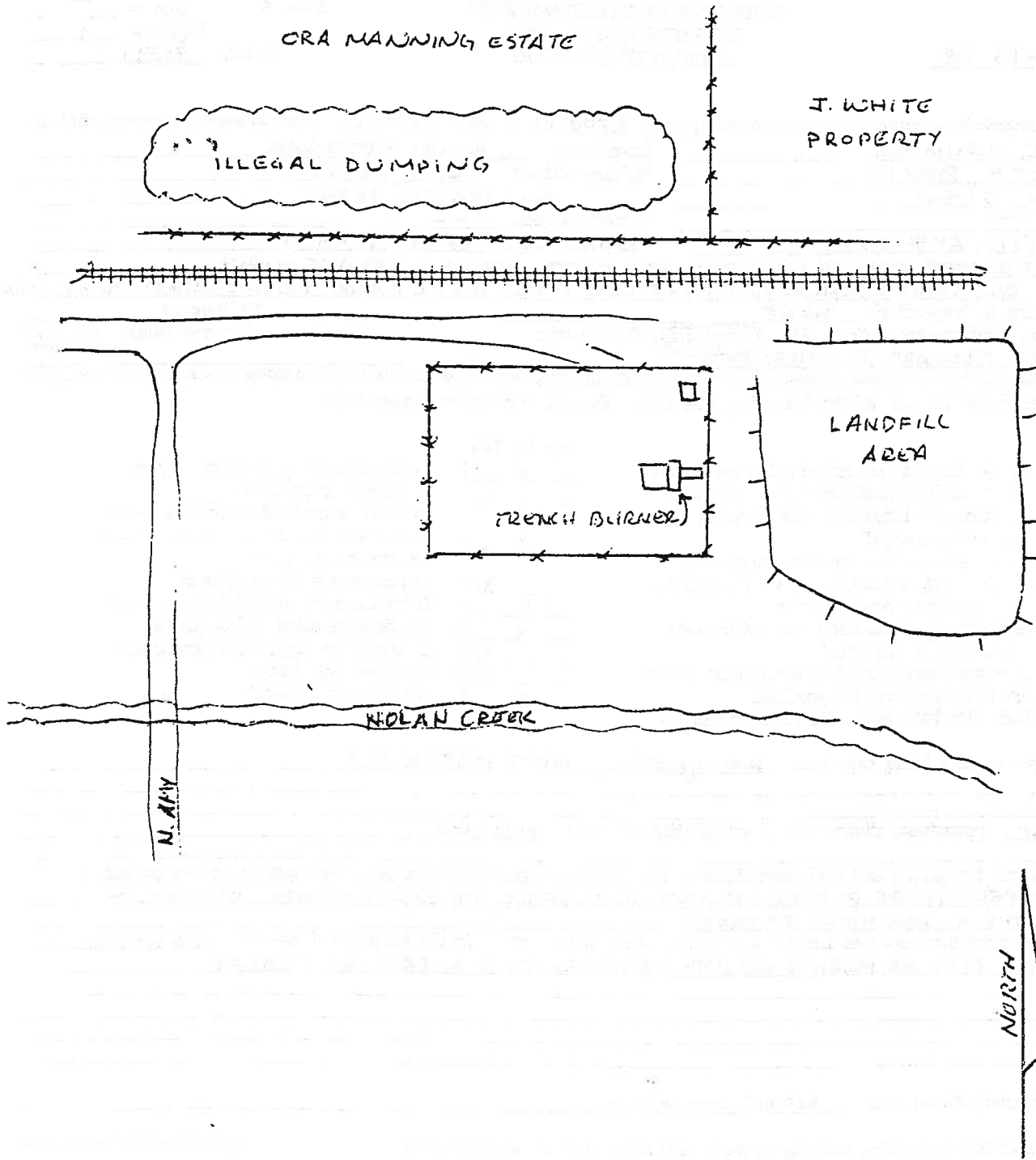
(SE25 11/04/87)

SURVEILLANCE AND ENFORCEMENT BRANCH
DIVISION OF SOLID WASTE MANAGEMENT
TEXAS DEPARTMENT OF HEALTH

Site Name MANNING ESTATE
Inspection Date 1-13-88

Site # _____
Reg # 1
County BELL

COMMENTS



Suggested type of letter NOV

DH Representative's Signature _____

Edward Myers

Date 2-19-88

EXHIBIT 1
Description of Land

Closed Landfill Inventory
Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number P266

Location and Boundary

COG Confidence Level 75%
Latitude 30.922964 N
Longitude 97.383316 W
Narrative Location Description 1 mile southwest of Sparks on SH 95, southeast of intersection of Ponderosa Rd and Landfill Rd.
Boundary Description See Deed
Basic Land Units Tract 023402, Block 3009

Land Use Vacant

Ownership Information

Current Property Owner(s) Bell County
Current Owner(s) Address PO Box 336; Belton, TX 76513
Dates of Ownership 3/27/73 – Present
Land Unit 168 acres

Site History and Current Status

Previous Owner(s) Truman C. Adley, C.F. Hillietal
Dates of Operation Permit Issued 8/23/76; Final Cover 7/14/94
Enforcement History Unknown
Types of Waste Disposed Solid waste disposal site

Reference Attachments

Deed Record April 1973
Affidavit of Ownership July 1994
Status of Landfill Research Form Oct. 1999

AFFIDAVIT TO THE PUBLIC

STATE OF TEXAS

COUNTY OF BELL

Before me, the undersigned authority, on this day personally appeared John Garth, County Judge, Bell County who, after being by me duly sworn, upon oath states that the County of Bell is the owner of record of that certain tract or parcel of land lying and being situated in Bell County, Texas and being more particularly described as follows:

PART OF THAT CERTAIN 230 ACRES OF LAND IN THE JNO. WAUGH SURVEY A-21, DESCRIBED IN A CERTAIN MORTGAGE EXECUTED BY ALONZO W. PARROTT AND MARTHA C. PARROTT TO A.J. HARRIS, TRUSTEE, DATED NOVEMBER 9, 1889, RECORDED IN VOLUME 69, PAGE 119, DEED RECORDS OF BELL COUNTY, TEXAS;

BEGINNING at the Northeast corner of the Abel Wilson 560 acre Survey, A-885, Bell County, Texas; and being the Northeast corner of that certain "First Tract" of 126 acres described in a deed to Odell Ivey et ux, dated March 14, 1969, of record in Volume 1045, Page 355, Deed Records of Bell County, Texas; and also the Northwest corner of the present Bell County Landfill;

THENCE S 70° 41' 50" E, 1,401.58 feet to a point; S 69° 11' 40" E, 1,098.18 feet to a corner, being the Northeast corner of the Landfill;

THENCE S 18° 32' 50" W, 1,845.84 feet to a corner, being the most Easterly Southeast corner of the Landfill;

THENCE N 71° 45' 10" W, 541.88 feet to a corner;

THENCE S 20° 23' 00" W, 324.87 feet to a corner, being the most Southerly Southeast corner of the Landfill;

THENCE N 71° 08' 10" W, 1,959.85 feet to a corner, being the Southwest corner of the Landfill;

THENCE N 18° 53' 30" E, 2,223.82 feet to the POINT OF BEGINNING, being the Northwest corner of the Landfill, containing 122 acres, more or less.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

JUL 12 1994



Vada Sutton
CO. CLERK, BELL CO., TX

The undersigned further states that from the year 1976 to the year 1993, there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on the following portions of the tract:

BEGINNING for reference at an iron rod for the Northwest corner of the Landfill, also being the Northeast corner of the Abel Wilson Survey A-885, and being in the South right-of-way line of a county road; THENCE S 10° 37' 26" E, 458.18 feet to the POINT OF BEGINNING;

THENCE S 77° 28' 14" E, 537.78 feet to a point;

THENCE S 62° 27' 16" E, 645.19 feet to a point;

THENCE S 66° 48' 44" E, 635.87 feet to a point;

THENCE S 19° 00' 24" W, 907.37 feet to a point;

THENCE S 20° 03' 20" W, 738.60 feet to a point;

THENCE N 69° 57' 14" W, 374.06 feet to a point;

THENCE N 69° 12' 48" W, 378.12 feet to a point;

THENCE N 06° 44' 54" W, 221.91 feet to a point;

THENCE N 56° 35' 06" W, 428.57 feet to a point;

THENCE N 16° 17' 08" E, 570.22 feet to a point;

THENCE N 59° 06' 34" W, 326.38 feet to a point;

THENCE S 21° 31' 04" W, 890.02 feet to a point;

THENCE N 69° 23' 52" W, 131.30 feet to a point;

THENCE N 17° 19' 56" E, 935.83 feet to a point;

THENCE N 16° 59' 38" E, 274.59 feet to a point;

THENCE N 22° 08' 00" E, 441.83 feet to the POINT OF BEGINNING and containing 60.61 acres, more or less, as shown on the attached drawing.

Further, the County of Bell was the operator of the Landfill until 1988, when the operation was contracted out to R.E. Wolfe Enterprises of Texas, who operated the Landfill until its closing in October, 1993.

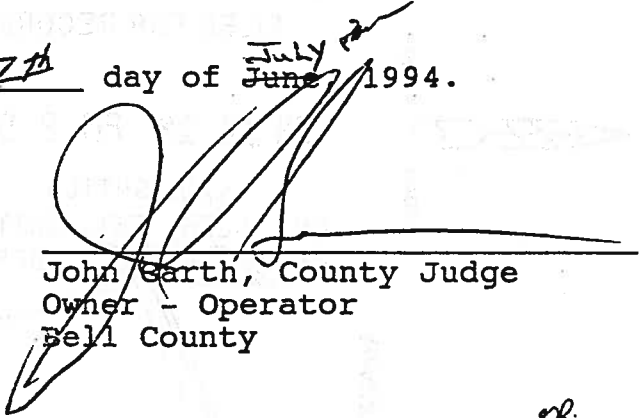
JUL 12 1994



Vada Sutton
CO. CLERK, BELL CO., TX

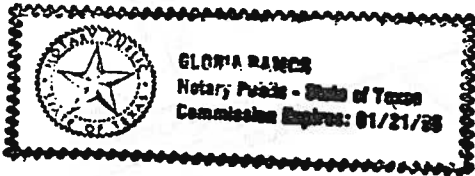
Notice is hereby provided to any future owner or user of the site to consult with the Texas Natural Resource Conservation Commission prior to planning or initiating any activity involving the disturbance of the Landfill cover or monitoring system.

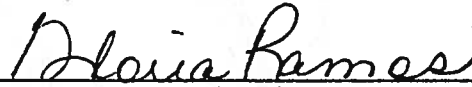
WITNESS OUR HANDS on this the 17th day of ~~June~~^{July} 1994.



John Garth, County Judge
Owner - Operator
Bell County

SWORN TO AND SUBSCRIBED before me on this the 12 day of ~~June~~^{July}, 1994.





Notary Public in and for
Bell County, Texas

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OF THE ORIGINAL ON FILE

JUL 12 1994

Page 3 of 3





CO. CLERK, BELL CO., TX

025129

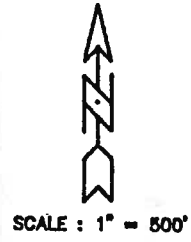
FILED FOR RECORD

'94 JUL 12 PM 2 09

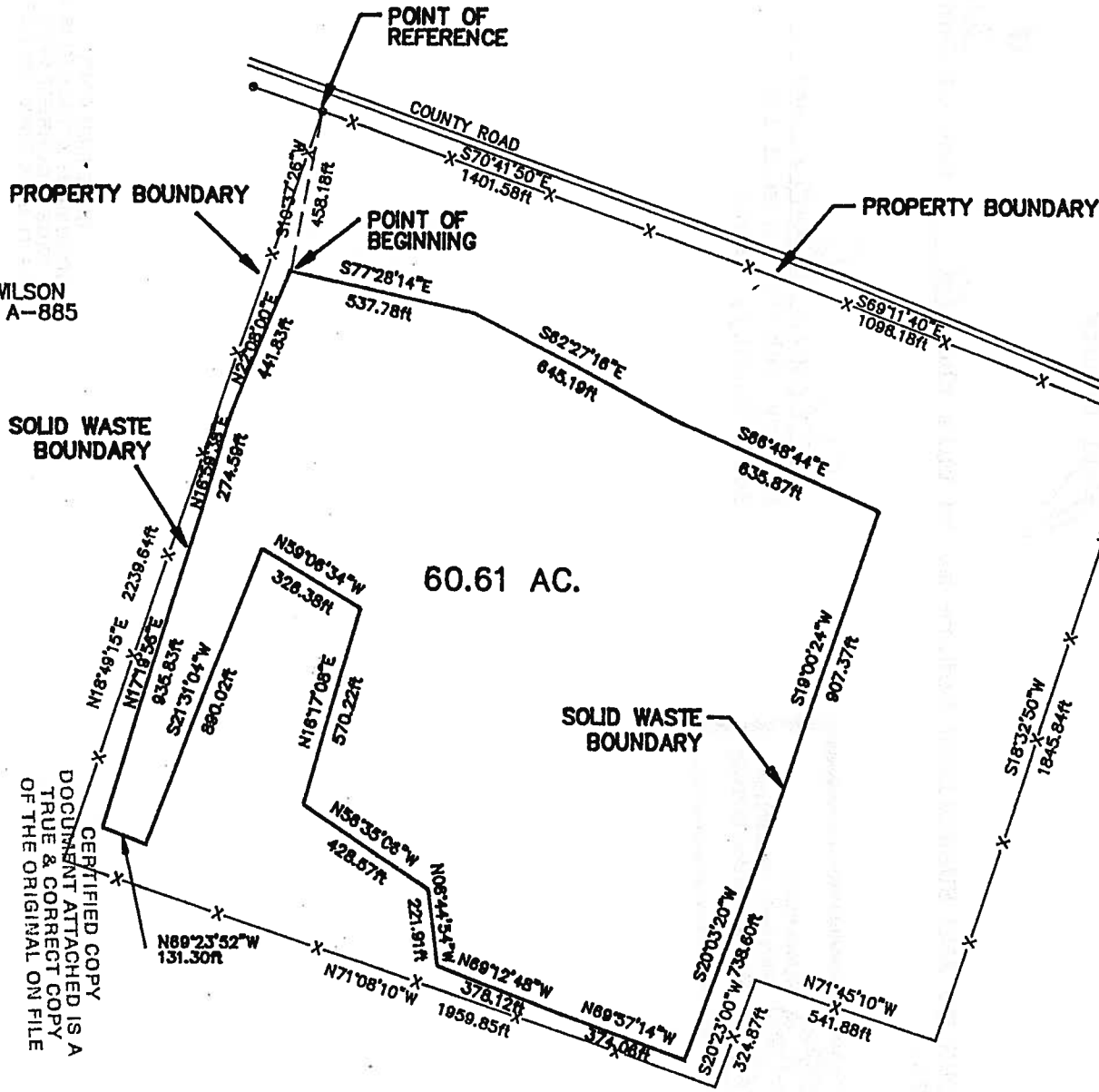
VADA SUTTON
COUNTY CLERK, BELL COUNTY TX.
BY *V. Sutton* DEPUTY

LEGEND

- PROPERTY BOUNDARY
- SOLID WASTE BOUNDARY
- IRON PIN FOUND



BELL COUNTY LANDFILL
AFFIDAVIT TO THE PUBLIC



CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

JUL 12 1994

Vada Sutton
CO. CLERK, BELL CO., TX

Status of Landfill Research Form

Permit No. 266 Issue Date 8/23/76 County BELL Permitted Acres 168

Technical Pkg Submitted for Permit? Yes _____ File Loc. _____ No _____

Date Closed to Waste Recpt. 10/8/93 File Loc. CO VOL 2 93-95

Date of Final Cover Inspection 7/14/94 File Loc. CO VOL 2 93-95

*Date Affidavit(s) Approved 7/22/94 Acreage Closed 126
(If none, please indicate so)

File Loc. _____

Closure Plan Exists? Yes File Loc. CO VOL 2 93-95 No _____

Date Closure Plan Approved _____ File Loc. _____

Date(s) Post Closure Started 9/2/94, _____, _____ File Loc. _____

Date(s) Post Closure Ends 9/2/99, _____, _____ File Loc. CO VOL 2 93-95

Length of Post Closure Period: 5 yrs. 30 yrs. _____ Other (no. of yrs.) _____

*File Closed Date NONE File Loc. _____
(If none, please indicate so)

*Date of "Inactive Status" Acknowledgment Letter NONE File Loc. _____
(If none, please indicate so)

Name of Researcher GML

Date Research Conducted 10/20/99

* copy needed

Handwritten mark in top right corner.

Handwritten mark in bottom right corner.

That we, Truman Clyde Adley, et ux Velma Lois Adley

of the County of Bell, State of Texas for and in consideration of
the sum of forty three thousand nine dollars and seventy-five cents,
(\$43,009.75)-----DOLLARS,

to us in hand paid by Bell County, Texas, a political sub-division
established under the Laws of the State of Texas, receipt of which is
hereby acknowledged and confessed,

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said

Be County, Texas

of the County of Bell, State of Texas all that certain

lot, tract or parcel of land, lying and being situate in Bell County, Texas, out of and a part of the Johnathan Waugh Survey, Abstract No. 21, and the land herein described being out of and a part of that certain tract described as 160 acres in a deed from C. F. and James Hill to T. C. Adley, said deed being of record in Vol. 924, page 24, deed records of Bell County, Texas.

BEGINNING at an iron pipe at the northwest corner of the said 160 acre tract, this also being the northwest corner of this.

THENCE S 70° 41' 50" E., 1401.53 feet along and with the south line of a gravel road to an iron pipe for a corner of this.

THENCE S 69° 11' 40" E., 1098.13 feet along and with the south line of the said gravel road to an iron pipe for the northeast corner of this.

THENCE S 18° 32' 50" W., 1845.84 feet to an iron pipe in the south line of the said 160 acre tract for the southeast corner of this.

THENCE N 71° 45' 10" W., 541.88 feet to an iron rod for an ell corner of this.

THENCE S 20° 23' 00" W., 324.37 feet along and with an existing fence to an iron pipe for an ell corner of this.

THENCE N 71° 08' 10" W., 1959.85 feet along and with an existing fence to an iron pipe for the southwest corner of this, same being the southwest corner of the said 160 acre tract.

THENCE N 18° 53' 30" E., 2223.82 feet along and with the west line of the said 160 acre tract to the place of beginning, containing 122.885 acres of land.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said

Bell County, Texas, their successors and

heirs and assigns forever; and we do hereby bind ourselves, our

heirs, executors and administrators, to Warrant and Forever Defend all and singular the said premises unto the said Bell County, Texas, their successors and

heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

Witness our hands at Belton, Texas this 27th day of March, A.D. 19 73

Witnesses at Request of Grantor:

Truman Clyde Adley
TRUMAN CLYDE ADLEY

Velma Lois Adley
VELMA LOIS ADLEY

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 04 2000



Vada Sutton
CO. CLERK, BELL CO., TX

THE STATE OF TEXAS,

COUNTY OF Bell

BEFORE ME, the undersigned authority,

in and for said County, Texas, on this day personally appeared Truman Clyde Adley, et ux Velma Lois Adley

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 27th day of March, A.D. 1973

Notary Public, Bell County, Texas

My Commission Expires June 1, 1973

THE STATE OF TEXAS,

COUNTY OF

BEFORE ME, the undersigned authority,

in and for said County, Texas, on this day personally appeared

known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This day of, A.D. 19

(L.S.)

Notary Public, County, Texas

My Commission Expires June, 19

THE STATE OF TEXAS,

COUNTY OF

BEFORE ME, the undersigned authority,

in and for County, Texas, on this day personally appeared

and his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the

wife of the said having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This day of, A.D. 19

(L.S.)

Notary Public, County, Texas

My Commission Expires June, 19

CERTIFIED COPY DOCUMENT ATTACHED IS A TRUE & CORRECT COPY OF THE ORIGINAL ON FILE

AUG 04 2000

Vada Sutton Deputy CO. CLERK, BELL CO., TX

FOR RECORD THIS 2 DAY OF APRIL, 1973, AT 11:45A M.

MRS. RUBY McKEE, COUNTY CLERK BELL COUNTY, TEXAS

EXHIBIT 1

Description of Property:

Closed Landfill Inventory Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number P370

Location and Boundary

COG Confidence Level 50%
Latitude 30.808406 N
Longitude 97.432487 W
Narrative Location Description 1.5 miles north of Bartlett City Limits
Boundary Description See Field Notes
Basic Land Units Tract 023401, Block 1003

Land Use

Bartlett City Dump Grounds

Ownership Information

Current Property Owner(s) Henry Beyer (Unable to locate)
Edward Goodnight (deceased: 3/2/2003)
<http://www.findagrave.com/cgi-bin/fg.cgi?page=gr&GRid=35694340>
Current Owner(s) Address Bartlett, TX 76511
Dates of Ownership Unknown
Land Unit 10 acres

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation Unknown
Enforcement History Unknown
Types of Waste Disposed Unknown

Reference Attachments

Letter – Response to Landfill Application Jan. 1979
Survey Field Notes July 1990
Status of Landfill Research Form Oct. 1999
TNRCC Letter Regarding Violations August 2000
TNRCC MSW Inspection Report August 2000
TNRCC Investigation Printout August 2000
TNRCC Complaint Printout August 2000
MSW Data Entry Form August 2000
Request for Revocation of Permit August 2000
TNRCC Memo Regarding Follow-up Inspection Feb. 2001

1493

#370

JAN 13 1997

Honorable Bobby Hill
Mayor, City of Bartlett
140 W. Clark Street
Bartlett, Texas 76511

Subject: Solid Waste - Bell County
City of Bartlett - Permit Application No. 370
North of City of Bartlett
Coordinates: N 30° 48.50' W 97° 26.00'

Dear Mayor Hill:

Due to the large number of solid waste facility permit applications received by this Department, we have just now begun to process your above-captioned application.

We have completed a preliminary review and require the following supplemental information before we can complete the processing of the application:

- 1. A more complete general description of the location of the site. Give distances from the site to roadways in the area, distance from nearest city or town, and location of any residential or commercial areas in

Date: 10 30 1997
 Name of County: Bell Name of City: Bartlett
 Permit #: 370 Are there curves? yes / no
 Starting Coordinates (x,y): N 77° 51' W 1916.165
 Gap Calculated in MapDraw: 0.045
 Acreage Calculated in MapDraw: 10.82
 Have these files been saved on a network directory? yes / no
 Name of MapDraw Map File / Text File (.map/.txt)? LF 370 # OF FILES 1

ELM

#374

Legal description

The Bartlett dumping ground is located 14 miles from the city limit of Bartlett, Texas, in Bell County, Texas, and being a part of the U. S. Wilson Survey, containing a little over ten acres.

The Bartlett dumping ground is located 14 miles from the city limit of Bartlett, Texas, in Bell County, Texas, and being a part of the U. S. Wilson Survey containing a little over 10 acres.



370

RES

RONALD CARROLL SURVEYORS

ATTACHMENT "A"

2505 CHAMBERLAIN TRAIL
TEMPLE, TEXAS 76788

PHONE (817) 770-1447
FAX (817) 770-0111

July 9, 1990

NORTHWEST CITY DUMP GROUND

Field Notes for Mayor Franz, City of Bartlett for:

Part of the W. C. WILSON SURVEY, Abstract No. 856, situated north of Bartlett, also being about 16 miles SSE from the courthouse in Belton, in Bell County, Texas, embracing the tract described in the deed to the City of Bartlett, recorded in volume 151, page 4 of the Bell County Deed Records.

Beginning at a 1 inch pipe for the southeast corner of said city tract, being in the west line of a tract described in the deed to Henry N. Beyer, recorded in volume 417, page 543 of said deed records

Thence north 70 degrees-51 minutes west to and along the center of a gravel road for the south line of said City tract, 196-65/100 feet to a 3/4 inch iron rod for the southwest corner of said City tract, from said iron a 1/2 inch rod for the southeast corner of a tract described in the deed to Edward R. Goodnight, et ux, recorded in volume 154, page 527 of said Deed Records, bears north 11 degrees-09 minutes east 18-7/10 feet.

Thence north 11 degrees-09 minutes east along the west line of said City tract, at 18-7/10 feet pass said 1/2 inch iron rod, and continue along said west line of the City tract for the east line of said Goodnight tract, in all 1483-15/100 feet to a 1/2 inch iron rod for the northwest corner of said City tract being the northeast corner of said Goodnight tract, and being in the south line of a tract described in the deed to Gladys Marie Gerig recorded in volume 652, page 620 of said Deed Records.

Thence south 70 degrees-09 minutes east along the south line of said Gerig tract for the north line of said City tract, 399-25/100 feet to a 5/8 inch iron rod for the northeast corner of said City tract and being the northwest corner of said Beyer tract.

Thence south 19 degrees west along the east line of said City tract for the west line of said Beyer tract, 1463-8/10 feet to the place of beginning and containing 10-02/100 acres.

Surveyed June 27, 1990

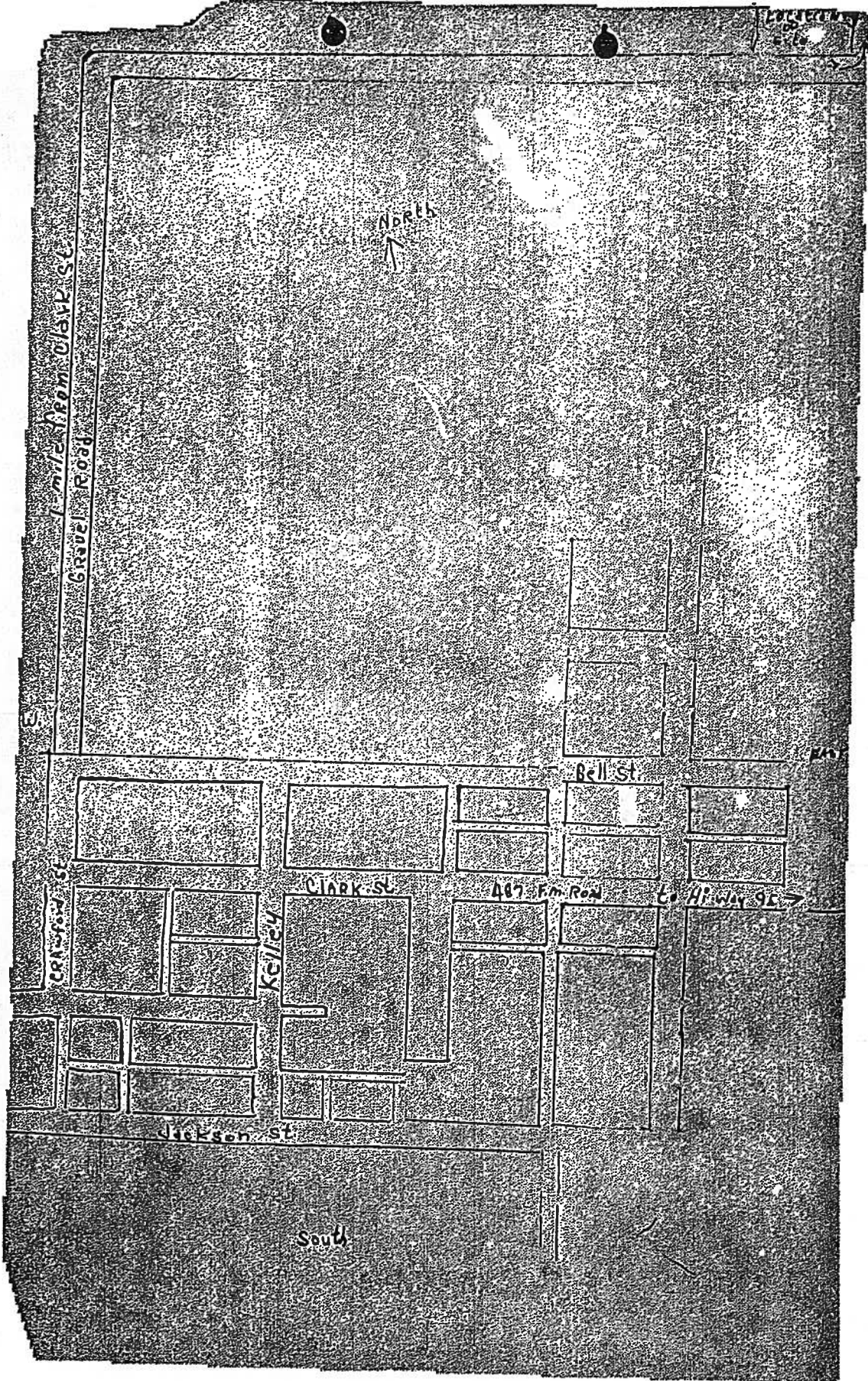
Ronald Carroll
Ronald Carroll, RPLS
RONALD CARROLL SURVEYORS



FWILSON

101-2684 PAGE 175

#374



North
↑

1 mile from Clark St
Gravel Road

Bell St.

Clark St

Keller

Clark St

407 Fm Road

to Hi-Way 95 →

Jackson St

South

RONALD CARROLL SURVEYORS

2505 CIMARRON TRAIL
TEMPLE, TEXAS 76502

TEMPLE (817) 773-1447
KILLEEN (817) 526-0117

ATTACHMENT "A"

NORTHWEST CITY DUMP GROUND

1y 9, 1990

Field Notes for Mayor Franz, City of Bartlett for:

Part of the W. C. WILSON SURVEY, Abstract No. 856, situated north of Bartlett, also being about 16 miles SSE from the courthouse in Belton, in Bell County, Texas, embracing the tract described in the deed to the City of Bartlett, recorded in volume 151, page 4 of the Bell County Deed Records.

Beginning at a 1 inch pipe for the southeast corner of said City tract, being in the west line of a tract described in the deed to Henry H. Beyer, recorded in volume 417, page 543 of said deed records.

Thence north 70 degrees-51 minutes west to and along the center of a gravel road for the south line of said City tract, 196-65/100 feet to a 3/4 inch iron rod for the southwest corner of said City tract, from said iron a 1/2 inch rod for the southeast corner of a tract described in the deed to Edward R. Goodnight, et ux, recorded in volume 1564, page 527 of said Deed Records, bears north 11 degrees-09 minutes east 18-7/10 feet.

Thence north 11 degrees-09 minutes east along the west line of said City tract, at 18-7/10 feet pass said 1/2 inch iron rod, and continue along said west line of the City tract for the east line of said Goodnight tract, in all 1483-15/100 feet to a 1/2 inch iron rod for the northwest corner of said City tract being the northeast corner of said Goodnight tract, and being in the south line of a tract described in the deed to Gladys Marie Gerig recorded in volume 652, page 620 of said Deed Records.

Thence south 70 degrees-09 minutes east along the south line of said Gerig tract for the north line of said City tract, 399-25/100 feet to a 5/8 inch iron rod for the northeast corner of said City tract and being the northwest corner of said Beyer tract.

Thence south 19 degrees west along the east line of said City tract for the west line of said Beyer tract, 1463-8/10 feet to the place of beginning and containing 10-02/100 acres.

Surveyed June 27, 1990

Ronald Carroll

Ronald Carroll, RPLS
RONALD CARROLL SURVEYORS



FN\WILSON

(The following is a suggested format for the "Affidavit to the mentioned in § 325.136 of these regulations. The same general be used when preparing, as applicable, the sworn statement also to in that section.)

Public Form may be referred
FILED FOR RECC
DEC 3 1990
0'CLOCK
VADA SUTTON
COUNTY CLERK BELL COUNTY, TEXAS
DEPUT

STATE OF TEXAS

COUNTY OF Bell

AFFIDAVIT TO THE PUBLIC

Before me, the undersigned authority, on this day personally appeared Mayor Wilson Franz who, after being by me duly sworn, upon oath states that he is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being more particularly described as follows:

See Attachments: (A)

The undersigned further states that from the year 1979 to the year 1989 there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on that portion of the aforesaid tract described as follows:

See Attachments: (A & B)

Further, the undersigned, City of Bartlett was the operator of such Solid Waste Disposal Site.

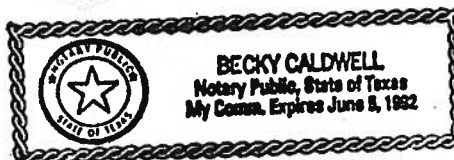
WITNESS MY/OUR HAND(S) on this the 30th day of November, 1990.

Wilson Franz
Owner Mayor

Mike Williams
Operator Director of Public Utilities

SWORN TO AND SUBSCRIBED before me on this the 30th day of November, 1990.

Becky Caldwell
Notary Public in and for
Bell County, Texas



Status of Landfill Research Form

5
✓ 23

City of Bartlett
Permit No. 370 Issue Date none County Bell Permitted Acres 10.02

Technical Pkg Submitted for Permit? Yes _____ File Loc. _____ No

Date Closed to Waste Recept. 10/1989 File Loc. Microfische p.1

Date of Final Cover Inspection none File Loc. _____

*Date Affidavit(s) Approved 2/12/91 Acreage Closed 10.02
(If none, please indicate so)

File Loc. Approval letter Microfische p.1, Row 5, Column 11 : Affidavit in correspo. File

Closure Plan Exists? Yes _____ File Loc. _____ No

Date Closure Plan Approved NA File Loc. _____

Date(s) Post Closure Started none, _____, _____ File Loc. _____

Date(s) Post Closure Ends none, _____, _____ File Loc. _____

Length of Post Closure Period: 5 yrs. 30 yrs. _____ Other (no. of yrs.) _____

*File Closed Date none File Loc. _____
(If none, please indicate so)

*Date of "Inactive Status" Acknowledgment Letter none File Loc. _____
(If none, please indicate so)

Name of Researcher B. Stengl

Date Research Conducted 10/27/99

* copy needed

* Affidavit approved, however, no final inspection found to place site into post closure.

mm

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

August 11, 2000

CERTIFIED MAIL # Z 437 574 599
RETURN RECEIPT REQUESTED

Ms. Mary Ann Bartlett, Mayor
City of Bartlett
P.O. Drawer H
Bartlett, Texas 76511

Re: Notice of Violation for the Closed Landfill Inspection at:
City of Bartlett Landfill, 1.5 Miles N of Bartlett, Bell County
TNRCC Permit No.: 0370

Dear Ms. Bartlett:

On August 9, 2000, Ms. Diane Massey of the Texas Natural Resource Conservation Commission (TNRCC) Waco Region Office conducted an inspection of the above-referenced facility to evaluate compliance with applicable municipal solid waste requirements. During the inspection, certain outstanding alleged violations were identified for which a written reply is needed. Enclosed is a summary which lists the inspection findings. Please submit to this office by September 1, 2000, a schedule outlining a compliance plan that addresses each of the outstanding alleged violations. Within 15 days of completion of the compliance plan, you must provide this office with documentation demonstrating that compliance has been achieved.

In the listing of alleged violations, we have cited applicable requirements, including TNRCC rules. If you would like to obtain a copy of the applicable TNRCC rules, you may contact any of the sources listed in the enclosed brochure entitled "Obtaining TNRCC Rules."

Ms. Mary Ann Bartlett, Mayor

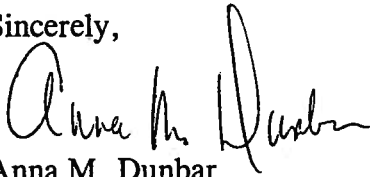
Page 2

August 11, 2000

The TNRCC recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. The TNRCC looks forward to working with you to resolve these matters. If you complete the necessary corrective actions and resolve the outstanding alleged violations in a timely manner, we will not pursue further action for the alleged violations at this time. However, please note that if you fail to adequately respond, the TNRCC will consider exercising the enforcement powers granted by the Legislature to carry out its mission to protect human health and the environment.

If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Diane Massey in the Waco Region Office at (254)751-0335.

Sincerely,



Anna M. Dunbar
Waste Section Manager
Waco Region

AMD/cdm

Enclosures: Summary of Inspection Findings
Obtaining TNRCC Rules

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

MSW INSPECTION REPORT

Inspection Type: CEI - Type I Closed Landfill

Inspection Date:	08-09-00	Time:	09:00 AM	Pictures Taken?	Yes	Copy To:	Permits
MSW Permit	0370	Type:	I	Region:	09	Facility County:	Bell (014)
Weather Conditions:	Hot, humid, rained .5" last night						
Entity Name / Permittee:	City of Bartlett Landfill						
Entity Representative:	MaryAnn Bartlett						
Entity Address:	P.O. Drawer H Bartlett, Tx 76511						
Entity Phone Number:	(254)527-3219						
Operation Description:	Closed Type I Landfill						
Facility Contact:	Mike Williams, Utility Manager						
Facility Address:	P.O. Drawer H Bartlett, Tx 76511						
Facility Phone Number:	(254)527-3219						
Person(s) Contacted:	Mike Williams 07-27-00 11:00 AM						
Person(s) Participating:	Mike Williams, Utility Manager & Edward Goodnight, current property owner						
NRCC Inspector:	Diane Massey						
Purpose of Inspection:	Post Closure	Next Inspection:	N/A	Last Inspection:	05-03-95		

INSPECTION REPORT ATTACHMENTS

Landfill Forms		Landfill Forms Continued		Waste Tire Forms		Used Oil/Filter Forms
Type 1-4 Landfill Checklist	X	Type 1-4 Closed Site Checklist		Tire Generator Checklist		UO/UOF Collection Center Ckl.
Site Development Plan Checklist		Unauthorized Site Checklist		Tire Transporter Checklist		Used Oil Handler Checklist
Site Operating Plan Checklist		Processor (Type 5) Checklist		Tire Storage Site Checklist		Used Oil Filter Handler Cklt.
Record Keeping Checklist		Liquid Waste Processor Cklt.		Tire Facility Checklist		Miscellaneous Forms
Landfill Gas Checklist		Medical Waste Checklist		Tire Transport. Facility Cklt.		Attachment Page(s)
Landfill Gas Well Report		Compost Checklist		Land Reclamation Checklist	X	Photograph Page(s)
Asbestos Checklist				PEL Inspection Checklist		Site Diagram
Groundwater Checklist						Property Ownership Page
Groundwater Well Report						IOM
Closure Checklist					X	NOV

TNRCC Representative's Signature:	<i>D. Massey</i>	Date:	8-10-00
Approved By:	<i>Edward M. Durr</i>	Date:	8-14-00

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION MSW INSPECTION REPORT

Page 2

MSW Permit	0370	Facility Name:	City of Bartlett Landfill	County Name:	Bell (014)
Inspection Date:	08-09-00	TNRCC Investigator:	Diane Massey		

VERBAL OR WRITTEN VIOLATIONS NOTED

No.	Rule Cited	Description of Violation
1.	30 TAC § 330.254(a)	Exposed waste due to erosion of cover.
2.	30 TAC § 330.254(a)	Lack of vegetation.
3.	30 TAC § 330.254(a)(1) TWC 26.121(a)(1)(2)	Leachate outbreak.
4.		
5.		
6.		
7.		
8.		
9.		
10.		

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION MSW INSPECTION REPORT

Page 3

MSW Permit	0370	Facility Name:	City of Bartlett Landfill	County Name:	Bell (014)
Inspection Date:	08-09-00	TNRCC Investigator:	Diane Massey		

GENERAL INSPECTION DESCRIPTION / COMMENTS

Inspection Type:

This was a Compliance Evaluation Inspection (CEI) of a Type 1 closed landfill.

Notification:

Mr. Mike Williams, Utility Manager, for the City of Bartlett, was contacted on July 27, 2000, and an inspection was scheduled for August 9, 2000.

Comments:

The writer met Mike Williams, Utility Manager for the City of Bartlett and Edward Goodnight, the current property owner at the City Hall and left for the site to conduct a visual inspection. Mr. Goodnight is currently grazing longhorn cattle on the site. At the back of the property, on the right side there was an area that had no vegetation and some waste exposed (2 tires and various other solid waste). There was also a small area at the back of the property that had a minimal amount of waste exposed and no vegetation. Just beyond this area where at the end of the property line is, there is a leachate outbreak. Due to the topography of the landfill, storm water that falls on this side of the site will become contaminated by the leachate. This contaminated storm water would then flow into a ravine and then off-site on to adjacent property. This contaminated storm water could eventually end up in Indian Creek. There is an area that Mr. Goodnight has had inert materials (concrete, bricks, etc.) dumped that could pose a potential problem with ponding water. At the time of this inspection, it had rained .5" last night and there is no ponding.

Exit Interview:

Following the inspection, the writer and Mr. Williams returned to City Hall to conduct an exit interview. Mr. Williams was informed that he would be receiving a Notice of Violation (NOV) for the exposed waste, lack of vegetation and leachate outbreak. Mr. Williams stated that on 08-02-00, he had samples pulled from the pond uphill from the leachate outbreak, the water standing just below the outbreak and at the source of the outbreak and would forward the results as soon as received from Bio-Chem Lab in West, Texas.

Mr. Williams was also informed that once the violations cited were corrected and documented, and the "Request for Voluntary Revocation of Permit" form he was given during this inspection, has been completed and submitted to this TNRCC, Region 9 office in Waco, and subsequently sent to Municipal Solid Waste Permits Section (MSWPS) in Austin and accepted, it will be recommended to the Executive Director of the TNRCC that the post-closure care period be finalized and the permit for this landfill be considered for expiration and cancellation status. The final status of the landfill will be confirmed by a letter from this group.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

MSW TYPE 1-4 CLOSED SITE CHECKLIST

MSW Permit	0370	Facility Name:	City of Bartlett Landfill	County Name:	Bell (014)
Inspection Date:	08-09-00	TNRCC Investigator:	Diane Massey		

INSPECTION RESULTS

No.	Citation	Description	Y	N	Note
1.	330.111	General Requirements	X		
2.	330.113	Record Keeping Requirements	X		
3.	330.113(b)(3)	Methane Monitoring			N/A
4.	330.113(b)(4)	Leachate Disposal			N/A
5.	330.113(b)(5)	Groundwater Monitoring			N/A
6.	330.125	Air Criteria Requirements	X		
7.	330.253(e)(7)	Signs Posted-Final Closure			N/O
8.	330.253(e)(8)	Affidavit Received	X		
9.	330.254(a)	Post Closure Requirements		X	
10.	330.254(a)	Cover Erosion		X	
11.	330.254(a)	Subsidence / Ponding			N/O
12.	330.254(a)	Additional Vegetation Needed		X	
13.	330.252(a,b)	Final Cover Complete	X		
14.	26.121(a)	All Discharges		X	
15.	26.121(a)(3)	Other Activities			N/A
16.		Other Violations			N/A

8) The ATTP was Accepted by Central Office on February 12, 1991, as per Chet Safe.

9, 10, 12, 14) Post closure requirements have not been met due to erosion of cover, lack of vegetation, and a leachate outbreak.

Any documented violation requires a comment. Note: N/A = Not Applicable N/O = Not Observed N/R = Not required at this time.
 Y = The requirement is met. N = The requirement is not met.

SUMMARY OF INSPECTION FINDINGS

Entity: City of Bartlett Landfill	TNRCC Permit #: 0370	Inspection Date: 08-09-00
-----------------------------------	----------------------	---------------------------

OUTSTANDING ALLEGED VIOLATIONS

No.	Requirement(s) Cited	Description of Alleged Violation, Corrective Action Recommendation, and Compliance Documentation	Compliance Due Date
	30 TAC § 330.254(a)	<p>Alleged Violation: Exposed waste and lack of vegetation due to erosion of cover.</p> <p>Corrective Action Recommendation: Recover exposed areas and revegetate.</p>	11-07-00
	30 TAC § 330.254(a)(1) TWC 26.121(a)(1)	<p>Alleged Violation: Leachate outbreak at property boundary.</p> <p>Corrective Action Recommendation: Determine extent of area and apply additional re-compacted soil and vegetation to contain the leachate. Continue to monitor area after rainfall events for any further leachate outbreaks and repair is necessary.</p>	11-07-00

8/16/2000
10:25 am

TNRCC Investigation Printout

Media Type: S	Complaint No: 090000791
Investigator: C Diane Massey	Invest Time: 09:00
Investigation Date: 8/09/2000	
Investigation No: 005133W	
TIN:	
Contact Date: 7/27/2000	SIC Code: 4953
Samples Sent:	Samples Returned:
Site Visit: Y	
Confirmed Source: COUNTY X-ACCOUNTS	
Account Num: BFXXXXK	
CSN Number: 00019412	
Permit 1:	Permit 2:
Basin:	Segment:
Registration#:	

Result of Investigation:

On 08-09-00, a visual inspection was conducted at the facility. Mr. Mike Williams, Utility Manager for the City of Bartlett and Mr. Edward Goodnight, the current property owner were also present. There were areas that needed additional vegetation, exposed waste and an area with a leachate outbreak. Mr. Williams was informed that there would be a Notice of Violation (NOV) issued and he would need to respond with a compliance plan.

Rule Violated:

30 TAC 330.254; 30 TAC 330.254(a) (1); TAC 26.121(a) (1).

Location:

Bell County.

8/16/2000
10:25 am

TNRCC Complaint Printout - Without Comp
File in Public File

INFORMATION COPY

Media Type: S	Complaint No: 090000791	Assigned To CDM
Date Recvd: 7/18/2000	Time Recvd: 17:00	Priority: 3
Complaint Info (confidential)		Company/Source County: 014 Bell
First/Last Name		Title/Org:
Address		
City, State, Zip		Program Group: MN
Phone	Alt Phone:	Type Code: MN Effect: G

Alleged Source : CITY OF BARTLETT

Initial Problem

Reporting that an old landfill site near wastewater treatment plant may be leaching into nearby creek. This site was closed 1991 and runoff from this area is running into Indian Creek, which eventually goes to Little River.

#Complaining: 1	Date Occurred:	Form T:	Nature: SW
Frequency: CURRENT	Confidential: Y	Referred By:	Referred To:

Date Complaint Notified of Commissioners Mtg/Formal Action:	Date of Formal Action:
---	------------------------

Closure Comments

An NOV was issued 08-11-00.

Closure Code: REA	Closure Date: 8/09/2000	Final Letter:
-------------------	-------------------------	---------------

Tommassey
Investigator

Anah Dr
Region or Program Manager
8/18/00
Date

Attachments (s): Correspondence _____
Samples _____
Photos _____
Other _____

MSW Data Entry Form

Facility/Site Information:

Help

Permit #: 0370

*If Permit # needs to be changed, click on "Permit #"
for information.*

County: 014 BELL

Type Facility: MSW Type 1

Facility Status: CLOSED

Site name: CITY OF BARTLETT LANDFILL



Tips

Region/Inspector Info:

Help

Region: 09 Waco

Inspector: DMASSEY

Locate

Insert

Edit

Delete

Undo

Print

Inspection/Activity Information:

Help

Activity Type: FINAL

Asbestos? Check If Yes

Date of Activity: 08/09/2000

Date of Supervisor Signature: 08/14/2000

Comments: WILL NOT RECOMMEND TO ED FOR FINAL CLOSURE UNTIL VIOLATIONS ARE CORRECTED.

Additional Letter Information: (optional - not required by Central Office)

Help

Additional Letter Type:

Additional Letter Date:

If difficulty, please contact Jeffie Barbee at 512-239-6308 or E-mail at jbarbee. Please read the help screens first to see if they answer your

Violation Information:

Permit# will be completed automatically

Help

Permit #	Rule Citation	Enf Action	Date Action	Expected Compliance	Date Compliance	Category
0370	330.254(a)	120	08/09/2000	11/07/2000		B
0370	330.254(a)(1)	120	08/09/2000	11/07/2000		B
0370	TWC26.121(a)(1)	120	08/09/2000	11/07/2000		B

RECEIVED

AUG 25 2000

MSW PERMITS SECTION
TEXAS NATURAL RESOURCE CONSERVATION
COMMISSION

3457

REQUEST FOR VOLUNTARY REVOCATION OF PERMIT

TO THE EXECUTIVE DIRECTOR OF THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION:

I, MaryAnn Bartlett, Mayor, representing The City of Bartlett, hereby request that Permit No.0370, be revoked. The permit was issued by the Texas Natural Resource Conservation Commission (TNRCC) or its predecessor agency to The City of Bartlett for the operation of an MSW Landfill facility in Bell County. The City of Bartlett has since ceased operations and closed the facility as required by applicable law and does not intend to resume operations under this permit.

I understand that by requesting the revocation of Permit No. 0370, The City of Bartlett waives all right to notice and a hearing. The Executive Director of the TNRCC, or his authorized representative, may revoke the permit without a public hearing or any commission action, pursuant to 30 TAC § 305.67.

Respectfully submitted,

By: MaryAnn Bartlett
Mayor MaryAnn Bartlett*

RECEIVED
AUG 16 2000
TNRCC
REGION 9-WACO

*Please include verification of signator's authority to represent the permit holder.

Texas Natural Resource Conservation Commission

INTEROFFICE MEMORANDUM

To: Anna Dunbar
Waste Program Manager
Region 9 - Waco
Field Operations Division

Date: February 14, 2001

Thru: Jerry Allred, Manager *JA 02/15/01*
MSW Permits Section
Waste Permits Division

C. Wayne Lee, P.E., Acting Team Leader *CWL 2/14/01*
MSW Permit Team III

Ada Lichaa, Team Leader *A.L. 2/14/01*
MSW Permits Team I

From: Marilyn Czimer Long, Senior Geologist *ML*
MSW Permits Team I

Pladej "Hunt" Prompungorn, Engineer/Hydrologist *PH*
MSW Permit Team III

Subject: Solid Waste - Bell County
City of Bartlett Landfill - MSW Permit No. 370
Follow-up Inspection & Compliance Plan - MSW Comments
Tracking Nos. 3457, 4472, 4934 & 5396

Background

The TNRCC Region 9 Office conducted an inspection at the closed City of Bartlett (City) landfill on August 9, 2000. This inspection was conducted in response to the agency's closed landfill status and voluntary revocation project. Alleged violations were identified by Region 9. A follow-up inspection was conducted on August 11, 2000, by region staff (Diane Massey) and was accompanied by MSW Permits staff (Marilyn Long). In response to the Region 9 site visits, TNRCC correspondence directed the City to submit a compliance plan. A revised compliance plan, based on field observations subsequent to heavy rainfall, was later submitted by the City's consultant. Due to the scope of corrective action proposed, Region 9 submitted a request for assistance (dated December 27, 2000) to MSW Permits Section.

Reference Documents

- Final Inspection Report (conducted on 08/09/2000), prepared by Ms. Diane Massey. As a result of the inspection, Ms. Massey indicated that the subject facility would not be recommended for final closure. Three (3) violations were cited: 30 TAC §330.254(a), §330.254(a)(1) and Texas Water Code 26.121(a)(1). MSW Permits Section received this document on August 25, 2000 (assigned to Team III). Tracking No. 3457

RE: Follow-up Inspection & Compliance Plan - MSW Comments

allows upgradient subsurface water to infiltrate the filled trench. The contaminated water within the trench may migrate through cracked or damaged downgradient trench bottom and/or side wall or migrate over the downgradient side wall and become the "leachate outbreak."

Scenario 2 Leakage and percolation through damaged landfill cap. This scenario occurs if the landfill cap has not been properly designed, constructed, and/or maintained. Through time, this may have led to the development of voids, erosion, and depressions on the landfill cap which allow precipitation storage and seepage through the waste-filled trench. Possibly, potentially contaminated water within the trench may migrate through the same patterns as mentioned in Scenario 1, above.

Recommended Actions:

First, action should be taken to prevent further seepage and determine the source(s) of seepage. This can be done by phase one of the above-mentioned proposed CP.

Second, action should be taken to eliminate or minimize surface water infiltration (inflow) into the filled trench. Mitigating surface water inflow described in Scenario 2 may be accomplished by phase two of the above-mentioned proposed CP.

Note: The first and the second actions (noted above) should be conducted concurrently.

Third, if phases one and two fail to subdue the seepage, then the circumstances described in Scenario 1 may be correct. Phase three of the CP addresses the capture of the seepage from the filled trench but does not minimize the storm water and/or infiltrated inflow. Continued infiltration of surface water may require long term maintenance (i.e., pumping and disposing of seepage captured), especially during the rainy season. An option may be to install an impermeable membrane liner on the upgradient side of the trench (assuming that the groundwater level in the area is well below the bottom of the filled trench). This approach may minimize surface water infiltration and long-term maintenance. Another option may be to construct a slurry wall as a cut-off wall to prevent groundwater infiltration into the landfill.

Comments/Recommendations prepared by Marilyn Czimer Long, Senior Geologist

During the site visit to the City's closed landfill on September 14, 2000, moisture/seepage was observed downgradient and off-site of the landfill area. The City and its consultant (The Wallace Group) suggested the installation of a french drain at the base of the landfill. Alternatively, it was suggested that if the final cover was improved to minimize surface water infiltration, the apparent seepage may be mitigated. I cautioned that drainage/erosion issues would need to be evaluated. Based on field observations, there was no apparent odor and visually, the seep area did not appear to exhibit distressed vegetation or discoloration (i.e., orange/iron staining or black) typically associated with leachate seeps. Refer to Waco field investigation and photographs (memo prepared by Ms. Massey, Waco Region) dated November 6, 2000.

EXHIBIT 1

Description of Property

Closed Landfill Inventory
Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number P383

Location and Boundary

COG Confidence Level 75%
Latitude 31.049103 N
Longitude 97.446890 W
Narrative Location Description South of Terminus on East Central Ave.
Boundary Description See Deed and Application Letter
Basic Land Units Tract 021500, Block 1006

Land Use Vacant

Ownership Information

Current Property Owner(s) City of Belton
Current Owner(s) Address Belton City Hall; P.O. Box 120; Belton, TX 76513
Dates of Ownership Unknown
Land Unit 40 acres

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation Unknown
Enforcement History Unknown
Types of Waste Disposed Unknown

Reference Attachments

Warranty Deed August 1974
Texas State Department of Health Letter Regarding Application Dec. 1971
TNRCC Memo Regarding Permit Revocation May 2000
TNRCC Revocation of Permit May 2000
TNRCC Letter Regarding Permit Revocation July 2000
Texas Water Commission Landfill Inventory

WARRANTY

By the State of Texas

THE STATE OF TEXAS,
COUNTY OF Bell

Know All Men By These Presents:

That we, C. V. Griggs and wife Mary Cathryn Griggs

of the County of Bell, State of Texas, for and in consideration of the sum of \$10.00

to us in hand paid by The City of Belton, municipal corporation organized and existing under the laws of the State of Texas, as a Home Rule City and located in Bell County, Texas, the receipt of which is hereby acknowledged and confessed.

Subject to the hereinafter stated restrictive covenant and right-of-way easement

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said

The City of Belton

Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said

The City of Belton

the County of Bell, State of Texas

all th

lot, tract, or parcel of land out of the M. F. Connell League in Bell County, Texas, except as hereinafter stated, described by metes and bounds as follows:

Beginning at a point in the East City Limit line of the City of Belton said point being in the center of Spring Street; Thence S. 52-48 E 782 feet; Thence S 25-29 W 900 feet; Thence S 45-19 W 400 feet; Thence S 8-20 E 274 feet to a stake on the bank of Noland Creek; Thence S 81-40 W 20 feet; Thence N 8-20 W 1266 feet to the said East City Limit line; Thence N 19 E 630 feet to the place of beginning, and containing 16.5 acres of land.

Said tract of land shall never be used for any purpose other than as provided for a city sewerage disposal plant and lagoons in connection therewith, and especially agreed that the Purchaser will not dump or permit the dumping of trash on said property, and shall not maintain any open ditches on said property except The City of Belton may remove gravel from said property for use on City streets.

The grantors do hereby retain a right of way easement across the South 20 by 274 feet of the land herein described, together with the right to construct and maintain a road or passageway along and across said 20 foot street.

STATE OF TEXAS I
COUNTY OF BELL I

WHEREAS, by deed dated April 5, 1951, recorded in Vol. 640, page 207 of the Deed Records of Bell County, Texas, C. V. Griggs and wife, Mary Cathryn Griggs, conveyed to the City of Belton a tract of 16.62 acres of land in the M. F. Connell League in Bell County, Texas, to which deed and the record thereof reference is here made for all purposes; and

WHEREAS, it is now considered to be desirable for us to remove the restrictions and limitations contained in said deed with respect to the use of said land;

NOW THEREFORE, in order to give the City of Belton unrestricted title (except as to the right-of-way easement retained in said deed) and in consideration of \$10.00 to us cash in hand paid by the City of Belton, receipt of which is hereby acknowledged, we, Mary Cathryn Griggs and C. V. Griggs, acting herein by and through my attorney in fact, Mary Cathryn Griggs, have granted, sold and conveyed and by these presents do grant, sell and convey unto the said City of Belton, a municipal corporation in the County of Bell, State of Texas, all that certain lot, tract or parcel of land out of the M. F. Connell League in Bell County, Texas, except as hereinafter stated, described by metes and bounds as follows:

BEGINNING at a point in the East City Limit line of the City of Belton, said point being in the center of Spring Street;
THENCE S 52 - 48 E 782 feet;
THENCE S 25 - 29 W 900 feet;
THENCE S 45 - 19 W 400 feet;
THENCE S 8 - 20 E 274 feet to a stake on the bank of Nolan
Creek;
THENCE S 31 - 40 W 20 feet;
THENCE N 8 - 20 W 1266 feet to the said East City Limit line;
THENCE N 19 E 630 feet to the place of beginning, and containing
16.62 acres of land.

d bounds as follows:

GINNING at a point in the East City Limit line of the City

Belton, said point being in the center of Spring Street;

HENCE S 52 - 48 E 782 feet;

HENCE S 25 - 29 W 900 feet;

HENCE S 45 - 19 W 400 feet;

HENCE S 8 - 20 E 274 feet to a stake on the bank of Nolan
Creek;

HENCE S 21 - 40 W 20 feet;

HENCE N 8 - 20 W 1266 feet to the said East City Limit line;

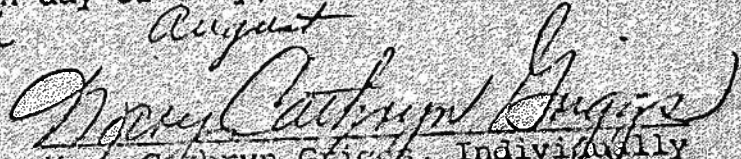
HENCE N 19 E 630 feet to the place of beginning, and containing
6.62 acres of land.

The Grantors hereby retain a right-of-way easement across
the southeast 20 x 274 feet of the land herein described, together
with the right to construct and maintain a road or passageway
along and across said 20 foot strip.

TO HAVE AND TO HOLD the above described premises, together
with all and singular the rights and appurtenances thereto in
anywise belonging unto the said The City of Belton, its successors
and assigns forever and we do hereby bind ourselves, our heirs,
executors and administrators, to Warrant and Forever Defend, all
and singular the said premises unto the said The City of Belton,
its successors and assigns, against every person whomsoever
lawfully claiming, or to claim the same, or any part thereof.

Witness my hand this 10th day of July, 1974.

8th August


Mary Cathryn Griggs, Individually
and as Attorney in Fact for
C. V. Griggs

#383

Solid Waste - Bell County
Bell Sanitary Service

December 9, 1971

Honorable Jamie Clements
Mayor of Temple
Municipal Building
Temple, Texas 76501

Subject: Solid Waste - Bell County #383
Bell Sanitary Service - Proposed Site Evaluation
N 31°04.35' W 97°24.85'

Dear Mayor Clements:

The Texas State Department of Health has received an application from the Bell Sanitary Service for approval of a municipal solid waste disposal site to be located near I. H. 35 between Belton and Temple.

Enclosed is a copy of the letter of application and supporting information on this site. We would appreciate a formal statement of approval or disapproval by the City of Temple prior to December 31, 1971.

If we can be of further assistance, please let us know.

Sincerely,

David L. Houston, P. E., Chief
Environmental Development Program
Division of Sanitary Engineering

KWM:skn
Enclosure

Date: 11 / 2 / 1997

Name of County: Bell Name of City: _____

Permit #: 383 Are there curves? yes / no

Starting Coordinates (x,y): S52°48'E 782.00

Gap Calculated in MapDraw: 10.00

Acreage Calculated in MapDraw: 16.78

Have these files been saved on a network directory? yes / no

Name of MapDraw Map File / Text File (.map/.txt)? LF 383 # OF FILES 1

ELW

383

Page 207 of the Dead Records of Bell County, Texas, C. V. Griggs and wife, Mary Cathryn Griggs, conveyed to the City of Belton a tract of 16.62 acres of land in the M. F. Cornell League in Bell County, Texas, to which deed and the record thereof reference is here made for all purposes; and

WHEREAS, it is now considered to be desirable for us to remove the restrictions and limitations contained in said deed with respect to the use of said land;

NOW THEREFORE, in order to give the City of Belton unrestricted title (except as to the right-of-way easement retained in said deed) and in consideration of \$10.00 to us cash in hand paid by the City of Belton, receipt of which is hereby acknowledged, we, Mary Cathryn Griggs and C. V. Griggs, acting herein by and through my attorney in fact, Mary Cathryn Griggs, have granted, sold and conveyed and by these presents do grant, sell and convey unto the said City of Belton, a municipal corporation in the County of Bell, State of Texas, all that certain lot, tract or parcel of land out of the M. F. Council League in Bell County, Texas, except as hereinafter stated, described by metes and bounds as follows:

→ BEGINNING at a point in the East City Limit line of the City of Belton, said point being in the center of Spring Street;
THENCE S 52 - 48 E 782 feet;
THENCE S 25 - 29 W 900 feet;
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THENCE N 8 - 20 W 1266 feet to the said East City Limit line;
THENCE N 19 E 630 feet to the place of beginning, and containing 16.62 acres of land.

The Grantors hereby retain a right-of-way easement across the southeast 20 x 274 feet of the land herein described, together with the right to construct and maintain a road or passageway along and across said 20 foot strip.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said The City of Belton, its successors and assigns forever and we do hereby bind ourselves, our heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said The City of Belton, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

Witness my hand this 18th day of July, 1974.

8th

August

Mary Cathryn Griggs
Mary Cathryn Griggs, Individually
and as Attorney in Fact for
C. V. Griggs

Texas Natural Resource Conservation Commission

INTEROFFICE MEMORANDUM

To: Robert J. Huston, Chairman
R.B. "Ralph" Marquez, Commissioner
John M. Baker, Commissioner

Date: May 18, 2000

Thru: Jeffrey A. Saitas, P.E.
Executive Director

From: *PRD*
5/18/00 Dorca Zaragoza-Stone, Manager
Municipal Solid Waste Section
Waste Permits Division

Subject: Revocation of Municipal Solid Waste Permit
City of Belton
Permit No. MSW -383

Pursuant to 30 Texas Administrative Code (TAC) §305.67(b), you are hereby notified of the revocation of Municipal Solid Waste Permit No. MSW-383, issued to City of Belton in Bell County, Texas. The permittee requested revocation of the permit in accordance with 30 TAC §305.67.

TEXAS NATURAL
RESOURCE CONSERVATION
COMMISSION
2000 MAY 19 PM 3:31
CHIEF CLERKS OFFICE

cc: Leigh Ing, Deputy Director, Office of Permitting, Remediation & Registration
Dale Burnett, Director, Waste Permits Division

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



REVOCATION OF
MUNICIPAL SOLID WASTE PERMIT NO. MSW- 383
ISSUED TO CITY OF BELTON

City of Belton has requested revocation of Municipal Solid Waste Permit No. MSW-383, for a municipal solid waste facility in Bell County, Texas. The permit was issued for the construction and operation of a Type I municipal solid waste landfill.

NOW THEREFORE, BE IT ORDERED that Permit No. MSW-383 is hereby REVOKED.

APPROVED, ISSUED AND EFFECTIVE in accordance with 30 Texas Administrative Code, Section 305.67.

ISSUED DATE: **MAY 25 2000**


For the Commission

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

July 5, 2000

City of Belton
P.O. Box 120
Belton, TX 76513

Re: City of Belton's Request to Cancel MSW Permit No. 383
Municipal Solid Waste Management Facility
Bell County, Texas

Dear Permittee:

As you requested, this letter revokes Municipal Solid Waste Permit No. 383. You recently requested voluntary cancellation of this municipal solid waste permit. Voluntary revocation is allowed under 30 Texas Administrative Code §305.67. No penalties are pending and no fees are due regarding this permit. Therefore, your request has been approved. Your cooperation in this matter is greatly appreciated.

If we can be of service to you in the future regarding municipal solid waste management, please feel free to contact the Municipal Solid Waste Permits Section at (512) 239-6781.

Sincerely,

A handwritten signature in cursive script that reads "Dorca Zaragoza-Stone".

Dorca Zaragoza-Stone, *Manager*
Municipal Solid Waste Permits Section
Waste Permits Division

383?

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date:

Name of Site 1) Belton 2)

County Bell District 03 River Basin I

Location 1 mi. E of Belton

Latitude _____ Longitude _____ Code II

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5' Topographic Series Name _____
Num. Code _____

RATIONAL INFORMATION

Current Property Owner City of Belton Code ~~III~~
Address _____
Telephone _____

Dates of Operation _____ to UNK Size 20 acres/cu. yds
(circle one)

Parties That Utilized Site City of Belton

Type of Waste: Household Y/N Construction/Demolition _____ Industrial _____
Y/N Y/N

Tires _____ Agricultural _____ Brush _____ Other _____
Y/N Y/N Y/N

Hazardous Waste: Unlikely _____ Y/N
Probable _____ Y/N
Certain _____ Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

Y/N
Y/N

Maximum Depth _____

Feet

Code

IV

Constructed Liner

Y/N

If yes, describe _____

CLOSURE AND POST-CLOSURE

Final Cover

Y/N

Minimum Thickness _____

Code

V

Current Use

VI

Buried Utilities

Y/N

Structures

Y/N

Adjacent Structures
(within 3000 ft)

Y/N

Petroleum/Product Pipelines

Y/N

Wells (oil or water)

Y/N

Status

Dates of Observation

Seeps

Y/N

Gas

Y/N

Vegetative Distress

Y/N

Cover Erosion

Y/N

Ponded Water

Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3

Site Name:

Bethan Bell City

Date:

OTHER INFORMATION

Aquifer Recharge Zone

Y/N

Aquifer

Inspection Record

9/70 - area still operation

Comments

Identified in 1968 Survey;
~~area still operation~~

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

II a) from inspection
b) from map
c) reported

III a) certain
b) reported

IV a) certain
b) reported
c) speculated

V a) certain
b) reported
c) speculated

VI a) residential
b) commercial
c) industrial
d) park/recreation
e) school/hospital
f) agricultural
g) road
h) municipal
i) no activity

EXHIBIT 1

Description of Property

Closed Landfill Inventory Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number P479

Location and Boundary

COG Confidence Level 50%
Latitude 31.098619 N
Longitude 97.660049 W
Narrative Location Description Northern end of North Army Street, in Harker Heights
Boundary Description See Affidavit to the Public
Basic Land Units Tract 022000, Block 4087

Land Use

Vacant or Agriculture

Ownership Information

Current Property Owner(s) City of Harker Heights
Current Owner(s) Address 900 South Ann Blvd., Harker Heights, TX 76541
Dates of Ownership Unknown
Land Unit 32 acres

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation Unknown – 12/1/78 (Type 1 Closure) and 12/89 (Type 4 Closure)
Enforcement History 1/23/95 – Date of Final Inspection
Types of Waste Disposed Household

Reference Attachments

Affidavit to the Public March 1990
TNRCC Inspection Letter April 1995
Status of Landfill Research Form Oct. 1999
Texas Water Commission Landfill Inventory

STATE OF TEXAS
COUNTY OF BELL

AFFIDAVIT TO THE PUBLIC

Before me, the undersigned authority, on this day personally appeared Danny Hurd, Mayor of the City of Harker Heights, who, after being by me duly sworn, upon oath states that the City of Harker Heights is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being more particularly described as follows:

East thirty (30) acres of the following described tracts, to-wit:

FIRST TRACT: All those certain lots, tracts or parcels of land situated, lying and being in the County of Bell and State of Texas, being out of the V. L. Evans Survey, and being more particularly described as follows:

BEING out of and a part of Lots Two (2), Three (3), Four (4), and Five (5) of the subdivision of the McDowell Estate and beginning in the center of the channel of Nolan Creek where said creek intersects the West boundary line of the said V. L. Evans Survey;

THENCE down the said creek with meanders of the center line of the channel thereof, to the southeast corner of a tract out of said survey conveyed by L.S. Jones to J. H. L. Moore by deed dated November 27, 1908, and recorded in Vol. 191, page 26 of the Deed Records of Bell County, Texas in the West line of Lot Six (6) of said McDowell subdivision, same being the Southwest corner of an eleven (11) acre tract conveyed by R. E. Springman and wife, Louise Springman to I. C.

VOL 2617 PAGE 575

THENCE North 19 deg. East 270 yrs. more or less to the South boundary line of the GC & SF Co. right of way;

THENCE with the South line of said right of way in a westerly direction to the West boundary line of said V. L. Evans Survey;

THENCE South 19 deg. West to the place of beginning, and being out of and a part of the 100 acre tract conveyed by Jesse H. Williams et us to I. C. Williams by deed dated October 21, 1940, and recorded in Vol. 484, page 60 Deed Records of Bell County, Texas, and being all of that portion of said 100 acre tract lying South of the right of way of the GC & SF Ry. Co., and North of the center of the channel of Nolan Creek.

SECOND TRACT: All those certain lots, tracts or parcels of land, situated, lying and being in the County of Bell, State of Texas, being out of the V. L. Evans Survey, and being more particularly described as follows:

BEING out of and a part of what is known as Block Six (6) and Block Seven (7) of the subdivisions of the McDowell Estate lands, and being that portion of the lands conveyed to R. E. Springman and Louise Springman by R. L. Sarley and wife by deed dated June 27, 1942, and recorded in Vol. 500 at Page 37 of the Deed Records of Bell County, Texas, and

BEGINNING at the Northeast corner of said tract, in the South line of the right of way of the GC & SF Ry. Co. for the Northeast corner;

THENCE North 67 deg. 41' West 387.5 yrs. to the Northwest corner in the West line of Block Six (6);

Page 576

270 yrs. Nolan Creek and extending to
said creek:

THENCE Easterly with the meanders of the center of
said creek to the East line of the said tract conveyed
to R. E. Springman et ux by R. L. Saffley et ux by deed
dated June 27, 1942 and recorded in Vol. 500, Page 37
of the Deed Records of Bell County, Texas:

THENCE North 19 deg. East to the place of
beginning and containing 11 acres of land, more or less
and being the same land conveyed by R. E. Springman and
wife, Louise Springman, to J. C. Williams by deed dated
January 22, 1945, and recorded in Vol. 528, page 199,
Deed Records of Bell County, Texas.

Tracts above described containing in the aggregate
forty (40) acres of land, more or less.

THIRD TRACT: All that certain lot, tract or parcel of
land situated, lying and being in the County of Bell,
State of Texas, and being out of the V. L. Evans
Survey, described by notes and bounds as follows:

BEGINNING at the Southeast corner of Lot Nine (9)
of the subdivision of the John McDowell Estate lands,
out of the said V. L. Survey, in the channel of Nolan
Creek from which a walnut tree bears North 55 deg. East
12 yrs, and a hackberry tree bears North 47 deg. East
11 1/2 yrs:

THENCE Down said creek South 70 1/2 deg. East 45
yrs. to corner opposite:

THENCE To the mouth of Hay Branch and following
its meanders, North 13 deg. East 59 yrs; South 57 deg.
East 100 yrs; North 19 deg. East 72 yrs; to corner in
South line of the right of way of the GC & SF Ry.:

VOL. 2617 PAGE 577

Seven (7) of the said subdivision;

THENCE South 18 deg. West 197 yrs. to corner in channel of Nolan Creek, the East line of said Lot Seven (7), and in the West line of Lot Eight (8) of said subdivision;


THENCE with the channel of said Nolan Creek, South 70 1/2 deg. East 543 yrs. to the place of beginning, containing 32 1/2 acres of land, more or less;

AND BEING THE same land conveyed by R. G. Sydow and Wm. J. Custine to the Veterans Land Board of the State of Texas.

The undersigned further stated that from the year 1962 to the year 1989 there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on that portion of the aforesaid tract described as follows: (Entire tract was used.)

Further, the undersigned, The City of Harker Heights was the operator of such Solid Waste Disposal Site.

WITNESS OUR HANDS on this the 9th day of March 1990.




Danny Hurd, Mayor, on behalf of the City of Harker Heights, Owner



H. E. Vetter, City Manager, on behalf of the City of Harker Heights, Operator

SWORN TO AND SUBSCRIBED before me on this the 9th day of March 1990.



Notary Public in and for Bell County, Texas



261790E 578

085693

FILED FOR RECORD

NOV 21 PM 2 49

YADA SUTTON
CITY CLERK, BELL COUNTY, TEXAS


John Hall, *Chairman*
Pam Reed, *Commissioner*
Peggy Garner, *Commissioner*
Dan Pearson, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

April 19, 1995

RECEIVED
APR 24 95
TNRCC
CENTRAL RECORDS

Honorable Stewart Meyer
Mayor of Harker Heights
901 S Ann Blvd.
Harker Heights, Texas 76543

Re: Municipal Solid Waste - Bell County
City of Harker Heights - Permit Application No. MSW-479
North of the End of North Amy Street, Between the Railroad Track and
South Nolan Creek, in Harker Heights

Dear Mayor Meyer:

On January 23, 1995, Mr. J. Hoyt Childres, P.E., from our region office, inspected the subject municipal solid waste facility for post-closure maintenance. During this inspection, our representatives was accompanied by Messrs. Larry Bashman and Don Centers.

During this inspection, no post-closure maintenance problems were noted. The file for this permit has now been marked closed.

Your cooperation in maintaining this closed site is greatly appreciated. If any future post-closure maintenance problems arise, then it is your responsibility to correct the problems.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Mr. Philip A. Spry, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6794 or you may prefer to contact Mr. Gene Fulton, Regional Office Manager, at 6801 Sanger Avenue, Waco, Texas 76710-7807; telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the regional office as well as to our central office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E.
Permits Section
Municipal Solid Waste Division

MDG/PAS/clc

cc: TNRCC Region 9
Bell County Health District
Harker Heights Director of Public Works

24

Status of Landfill Research Form

Permit No. 479 Issue Date none County Bell Permitted Acres 15 Ac

Technical Pkg Submitted for Permit? Yes File Loc. microfiche #1 No

Date Closed to Waste Recpt. 12/1/1978 ^{for Type I} & 12/89 ^{for Type II} File Loc. MSW-479

Date of Final Cover Inspection 1/23/1995 (last) File Loc. MSW-479

*Date Affidavit(s) Approved 4/25/1990 Acreage Closed 30 Ac
(If none, please indicate so)

File Loc. microfiche #2, row 5, columns 4, 6, 7, 8, 9, 10

Closure Plan Exists? Yes File Loc. No

Date Closure Plan Approved NA File Loc.

Date(s) Post Closure Started 4/1990, , File Loc. MSW 479

Date(s) Post Closure Ends 4/1995, , File Loc. MSW 479

Length of Post Closure Period: 5 yrs. 30 yrs. Other (no. of yrs.)

*File Closed Date 4/19/1995 File Loc. MSW-479
(If none, please indicate so)

*Date of "Inactive Status" Acknowledgment Letter none File Loc.
(If none, please indicate so)

Name of Researcher MARYANN RYAN

Date Research Conducted 10/28/1999

* copy needed

MM

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date:

Name of Site 1) N. Harker Heights

County Bell District 03 River Basin I

Location N. Harker Heights

Latitude _____ Longitude _____ Code II

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5' Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner City of Harker Heights Code C #17
Address _____
Telephone _____

Dates of Operation _____ to 2016 Size 15 acres/cu. yds
(circle one)

Parties That Utilized Site City of Harker Heights

Type of Waste: Household Y/N Construction/Demolition Y/N Industrial Y/N

Tires Y/N Agricultural Y/N Brush Y/N Other _____

Hazardous Waste: Unlikely Y/N
Probable Y/N
Certain Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

Y/N
Y/N

Maximum Depth _____

Feet

Code

IV

Constructed Liner

Y/N

If yes, describe _____

CLOSURE AND POST-CLOSURE

Final Cover

Y/N

Minimum Thickness _____

Code

V

Current Use

VI

Buried Utilities

Y/N

Structures

Y/N

Adjacent Structures
(within 3000 ft)

Y/N

Petroleum/Product Pipelines

Y/N

Wells (oil or water)

Y/N

Status

Dates of Observation

Seeps

Y/N

Gas

Y/N

Vegetative Distress

Y/N

Cover Erosion

Y/N

Ponded Water

Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3

Site Name:

N. Harker Heights

Date:

Bell City

OTHER INFORMATION

Aquifer Recharge Zone

Y/N

Aquifer

Inspection Record

9/70 - trench operation; burning

dump

Comments

Identified in 1968 survey;
~~*trench*~~

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

II a) from inspection
b) from map
c) reported

III a) certain
b) reported
c) speculated

IV a) certain
b) reported
c) speculated

V a) certain
b) reported
c) speculated

VI a) residential
b) commercial
c) industrial
d) park/recreation
e) school/hospital
f) agricultural
g) road
h) municipal
i) no activity



Protecting Texas
by Reducing and
Preventing Pollution

FAX TRANSMITTAL

DATE: 10/29/02 NUMBER OF PAGES (including this cover sheet):

TO: Name Jennifer
 Organization _____
 FAX Number 254/939-0885

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
 Name Cheryl Untermeyer (chunterm@tcep.state.tx.us)
 Division/Region Waste Planning Team
 Telephone Number 512/239-6016
 FAX Number 512/239-6166

NOTES:

J.A. No 479

Bell Co

TEXAS STATE DEPARTMENT OF HEALTH

APPLICATION FOR A PERMIT TO OPERATE A MUNICIPAL SOLID WASTE FACILITY



NOTE: This form and supporting documents should be submitted to seven copies. An application for a State permit is not required for a municipal solid waste facility which has a valid license issued by a county having an adopted licensing system and exercising its authority under that system.

Name of Applicant City of Barker Heights
(city, county, individual, or company)

Type of Facility (check one):	Type of Operation (check one)
<input type="checkbox"/> Incinerator	<input checked="" type="checkbox"/> I
<input type="checkbox"/> Composting	<input type="checkbox"/> II
<input type="checkbox"/> Transfer	<input type="checkbox"/> III
<input type="checkbox"/> Reclamation/Salvage	<input type="checkbox"/> IV
<input checked="" type="checkbox"/> Landfill	<input type="checkbox"/> Brush-Demolition Pile
<input type="checkbox"/> Other	<input type="checkbox"/> Brush Site

Facility is: Existing 1960 ; Proposed _____ (check one).
(Date established)
200 yards to nearest public road; 2 miles to nearest airport

Street Address or location of the Site:
At the north end of North 4th Street

Site is located in: (fill in one of following blanks)
City limits of City of Barker Heights
(intermunicipal) jurisdiction of City of N/A
Within of the town N/A

The facility will serve approximately 9,000 persons and it is estimated that it will receive an average of approximately 20 tons per day of municipal solid waste. The estimated life of the facility is 4 years.

It is requested that the permit be issued for a site of 32 acres. If the permit is issued, it is understood that a public hearing will be required before the permit can be renewed or extended. Also, that expansion or modification of a permitted site will require submission of a new permit application.

The name, address, and telephone number of the owner of the site is as follows:

City of Barker Heights, Texas 75541
817-599-2301

The name, address, and telephone number of the governmental entity or firm responsible for the operation of the facility is as follows:

Same as above.

Enclosed with the completed application are the following required documents:

1. A map indicating the exact location of the site. (The enclosure should be all or a portion of a half-scale Texas Highway Department County Map or a United States Geological Survey 7 1/2-Minute Quadrangle Sheet or equivalent.)

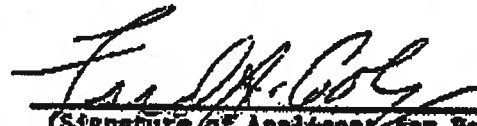
Municipal Solid Waste Permit Application (MSW-2)
 Form (October 1975)

2. A list of names and addresses of property owners whose property is adjacent or contiguous to the solid waste site, with the approximate distances between the nearest boundaries of the site and the contiguous properties indicated. (A sketch or map is desirable.)

3. A legal description of the land on which the site is located.

(NOTE: The Texas State Department of Health "Municipal Solid Waste Regulations" require that data presented in support of an application for a permit for a Type I operation serving more than 5,000 persons and for a Type IV operation shall be prepared under the direction of a registered professional engineer. The "Texas Engineering Practice Act", Article 3271a, Vernon's Texas Civil Statutes, makes it unlawful for engineering plans, specifications, and estimates for certain public works to be prepared except under the direct supervision of a registered professional engineer; it is suggested that the applicant consult his legal counsel concerning the applicability of this statute to this permit application.)

OTHER PERTINENT INFORMATION: (Include any information you feel will assist the Department in its evaluation. Additional information may be required upon review of this application. The applicant will provide such information upon request.)



(Signature of Applicant for Permit)

Fred A. Colby City Manager

(Typed or Printed Name)

120 Harley Drive

(Street or P. O. Box)

Harker Heights, Texas 76581

(City) (State) (Zip Code)

817-699-2301

(Telephone Number)

Municipal Solid Waste Permit Application
OSM (December 1974)

EXHIBIT 1

Description of Property

Closed Landfill Inventory Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number P492

Location and Boundary

COG Confidence Level 75%
Latitude 30.869523 N
Longitude 97.397032 W
Narrative Location Description On FM 2268, near FM 2268 and SH 95 intersection, south of Holland City Limits
Boundary Description See Deed
Basic Land Units Tract 023402, Block 3034

Land Use Vacant

Ownership Information

Current Property Owner(s) City of Holland
Current Owner(s) Address PO Box 157; Holland, TX 76534
Dates of Ownership 6/01/1970 – present
Land Unit 3.78 – 5.03 acres

Site History and Current Status

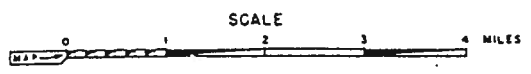
Previous Owner(s) Gene Liles; J.B. Nunnallee, H.L. Nunnallee, J.E. Rowlett, J.E. Ferguson; W.D. Liles
Dates of Operation 1970 – 1990
Enforcement History Unknown
Types of Waste Disposed Solid Waste

Reference Attachments

Deed Record June 1970
Bell County General Highway Map 1970
Affidavit of Landfill Aug. 1992
Texas Water Commission Receipt of Affidavit September 1992
Digital Information Report Oct. 1997
Status of Landfill Research Form Oct. 1999
Hand-drawn Map
Handwritten Deed

GENERAL HIGHWAY MAP BELL COUNTY TEXAS

PREPARED BY THE
TEXAS STATE HIGHWAY DEPARTMENT
PLANNING AND RESEARCH DIVISION
IN COOPERATION WITH THE
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



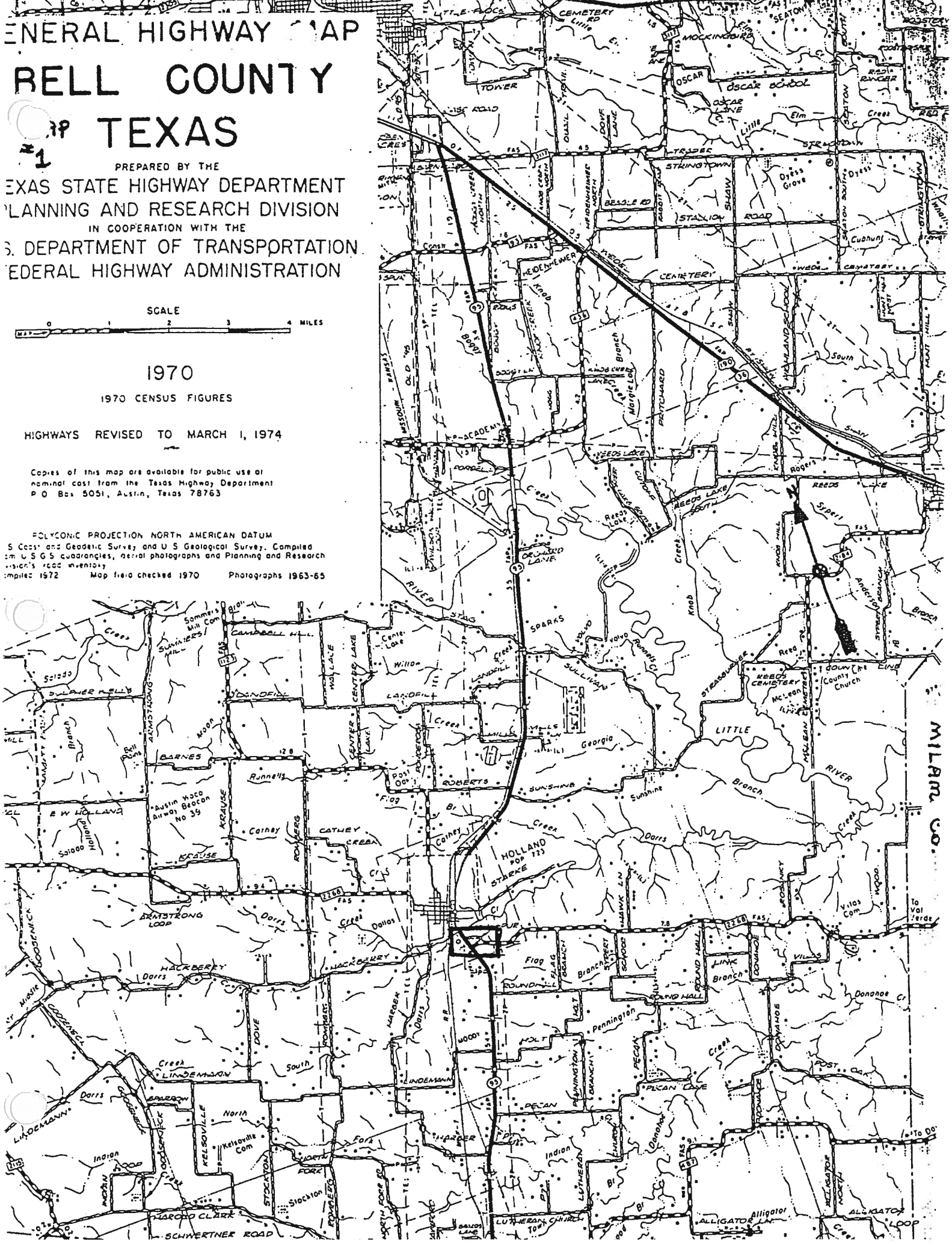
1970

1970 CENSUS FIGURES

HIGHWAYS REVISED TO MARCH 1, 1974

Copies of this map are available for public use at nominal cost from the Texas Highway Department
P O Box 5051, Austin, Texas 78763

POLYCONIC PROJECTION NORTH AMERICAN DATUM
U.S. Coast and Geodetic Survey, and U.S. Geological Survey. Compiled from U.S.G.S. quadrangles, aerial photographs and Planning and Research Division's road inventory compiled 1972. Map field checked 1970. Photographs 1963-65



#492

AFFIDAVIT TO THE PUBLIC

STATE OF TEXAS

COUNTY OF BELL

BEFORE ME, the undersigned, this day personally appeared ALAN JOHNSON, Mayor of the City of Holland, Texas who, after being by me duly sworn, upon his oath did state the following;

My name is ALAN JOHNSON, I am the duly elected Mayor of the City of Holland, Texas, over the age of eighteen years old, have never been convicted of a crime and am personally acquainted with the facts to which I am hereby testifying.

I represent the City of Holland, Texas, the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas.

From the year 1970 to the year 1990, there was operated on the aforesaid tract of land a municipal Solid Waste Disposal Site. Specifically, such operation was conducted on a portion of the aforesaid tract which operation is now closed and which tract is more particularly described as follows:

3.78 Acre Tract

Being a 3.78 acre tract lying and being situated in the J.D. Sholl Survey in Bell County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of the J.D. Sholl 184 acre Survey, and Elm tree bearing 63 S 53 E;

THENCE S 71 E 74 1/2 varas to a cedar post, a liveoak Oak tree 7 inches in diameter marked H, bears S 90 E 1/2 vara;

THENCE N 19 E 225 varas to a planted rock;

THENCE N 71 W 79 3/4 varas to a planted rock;

THENCE S 17 1/2 W with said Sholls West line 225 varas to the Place of Beginning, containing 3 78/100 acres of land, and being the same property conveyed to W.D. Liles by Gene H. Liles et al, in deed dated June 1, 1970 and recorded at Volume 1089, page 643, Deed Records of Bell County,

206.9

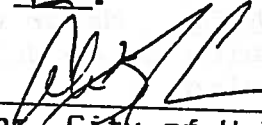
625 ft.

221.527

Further, the undersigned, the CITY OF HOLLAND was the operator of such Solid Waste Disposal Site.

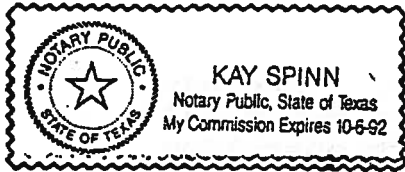
Notice is hereby provided to any future owner of the site to consult with the Texas Department of Health prior to planning or initiating any activity involving the disturbance of the landfill cover or monitoring system.

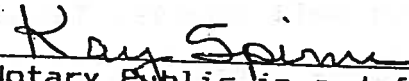
WITNESS MY HAND on this the 20 day
August, 19 92.




Mayor, City of Holland, Texas

SWORN TO AND SUBSCRIBED before me on this the
20 day of August, 19 92.





Notary Public in and for
Bell County, Texas

VADA SUTTON
JNTY CLERK BELL CNTY TX.
BY  DEPUTY

'92 AUG 24 AM 6 54

FILED FOR RECORD

021140

John Hall, Chairman
Pam Reed, Commissioner
Peggy Garner, Commissioner



TEXAS WATER COMMISSION

PROTECTING TEXANS' HEALTH AND SAFETY BY PREVENTING AND REDUCING POLLUTION

September 11, 1992

The Honorable G. L. Brisbin
Mayor of Holland
P.O. Box 157
Holland, TX 76534

Re: Solid Waste - Bell County
City of Holland - Permit No. 492
1.2 Miles SE of Holland City Hall

Dear Mayor Brisbin:

The Texas Water Commission has received a certified copy of an "Affidavit to the Public" for the subject site. The affidavit, as filed within the Deed Records of Bell County, is acceptable. The file for the subject site will be marked inactive pending our district's post-closure maintenance inspections at least through the year 1997 to determine if any post-closure subsidence or erosion problems occur which are in need of correction. If at the end of the five-year post-closure maintenance period the site is found to have been satisfactorily maintained, the subject file will be marked closed since you have indicated that the site has been filled and rendered unusable by closing and submitting the closure affidavit.

Your cooperation in properly closing and maintaining this site is appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Mr. H. Thomas Collins, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 834-6683 or you may prefer to contact Mr. Larry Fergusson, District Manager, at 14000 Woodway Drive, Waco, Texas 76712-3193; telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the district office as well as to our central office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark Vickery".

Mark Vickery, Section Manager
Compliance and Enforcement
Municipal Solid Waste Division

MV/HTC/mae

cc: TWC District 3 Office
Bell County Health District

Surveyed Landfills - Digital Information

(please fill out as completely as possible)

Date: 10/13/07 Your name: J. Joyce

Name of County: Polk Name of City: Holland

Permit # 292 Are There Curves? (YES / NO)

Starting Coordinates (x,y): 5736499.8055 7061143.0085

Gap Calculated in MapDraw: 1.78 Acreage Calculated in MapDraw: 3.06

Acreage Given in Information Package: 3.76

Have These Files Been Saved On Network File Directory? (YES / NO)

Name of MapDraw Map File / Text File (.map/.txt)? 11-292-map, 11-292.txt

=====

Arc/Info COGO

Date: _____ Your name: _____

Was This Site Digitized? (YES / NO)

Error of Closure Calculated in COGO: _____

Acreage Value Calculated in COGO: _____

Has Topology Been Built for the Coverage (YES / NO)

What State Plane Zone is This County in? _____

Name of .E00 file? _____

Has This File Been Saved On Network File Directory? (YES / NO)

=====

Comments:

23 ✓

Status of Landfill Research Form

Permit No. 492 Issue Date _____ County BELL Permitted Acres _____

Technical Pkg Submitted for Permit? Yes No _____ File Loc. fisher correspondence files

Date Closed to Waste Recpt. 7/11/90 File Loc. fisher correspondence files

Date of Final Cover Inspection _____ File Loc. _____

*Date Affidavit(s) Approved 9/11/92 Acreage Closed 3.78
(If none, please indicate so)

File Loc. Vol 1 Correspondence files

Closure Plan Exists? Yes _____ File Loc. _____ No _____

Date Closure Plan Approved _____ File Loc. _____

Date(s) Post Closure Started 9/11/22 File Loc. _____
Entered 09/11/1992 so make

Date(s) Post Closure Ends _____ File Loc. _____

Length of Post Closure Period: 5 yrs. _____ 30 yrs. _____ Other (no. of yrs.) _____

*File Closed Date _____ File Loc. _____
(If none, please indicate so)

*Date of "Inactive Status" Acknowledgment Letter _____ File Loc. _____
(If none, please indicate so)

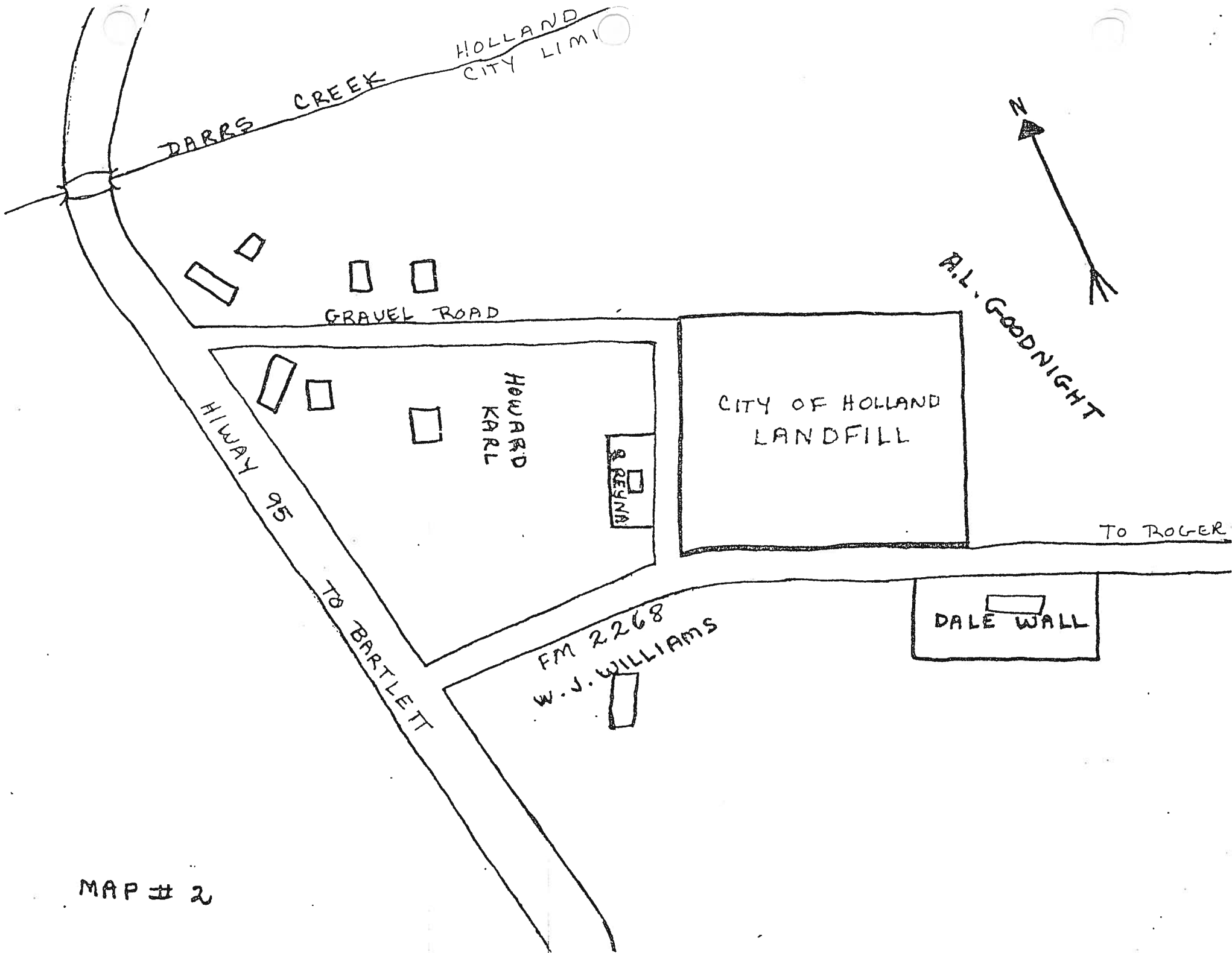
Name of Researcher Walter Paul

Date Research Conducted 10/26/99

* copy needed

Permit Application Submitted
city closed LF b/c cost for operation/new
regulations was too high.

mm



MAP # 2

place of beginning containing four hundred
and Seventeen acres of land

To have and to hold the above men-
tioned tract of land Together with all and
singular the tenements hereditaments and appur-
tenances to the same belonging or appertaining
unto the Said Clark his heirs or assigns
Forever It being the tract to which I executed a
Special Warranty warranty Deed to the Said
Clark on the 9th day of May 1863, This
Deed is intended Simply to enlarge the warranty of
Said former Deed And I hereby Covenant
to forever warrant and defend the title of
the Said Clark his heirs or assigns to the
above described tract of 47 acres of land
against the lawful Claims of all persons whom-
soever Witness my hand and Seal for
Seal this 3rd day of February A.D. 1868.

Witness
D. B. Saunders
W. J. McFarland

M. Q. Crawford
350.00 Stamps

The State of Texas
County of Bell
and for Bell County per
I solemnly appeared D. B. Saunders to me well known
who being by me duly sworn on oath Says that
M. Q. Crawford Signed the foregoing Deed in his
presence and acknowledged to him that he did
So for the record

100
643

The State of Texas,

} Know All Men by These Presents:

County of BELL

That we, GENE H. LILES and wife, VLASTA LILES; MELMUTH LILES and wife, WANDA LEE LILES

of the County of Bell State of Texas for and in consideration of the sum of TEN AND NO/100--(\$10.00)--Dollars, and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged and confessed to us in hand paid by W. D. LILES

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said

W. D. LILES

of the County of Bell State of Texas all that certain lot, tract or parcel of land, situate lying and being in the County of Bell and State of Texas, out of the J. D. Sholl Survey and described as follows:

BEGINNING at the Southwest corner of the J. D. Sholl 184 acre survey, an Elm tree bearing 63 S 53 E; THENCE S 71 E 74 1/2 varas to a cedar post, a liveoak Oak tree 7 inches in diameter marked H, bears S 90 E 1/2 vara; THENCE N 19 E 225 varas to a planted rock; THENCE N 71 W 79 3/4 varas to a planted rock; THENCE S 17 1/2 W with said Sholls West line 225 varas to the Place of Beginning, containing 3 78/100 acres of land, and being the same property conveyed to J. B. Nunnallee and wife, Vivian K. Nunnallee by deed dated June 21, 1950, and recorded at Volume 623, page 64, Deed Records of Bell County, Texas.

CERTIFIED COPY DOCUMENT ATTACHED IS A TRUE & CORRECT COPY OF THE ORIGINAL ON FILE

AUG 04 2000



Vada Sutton
CO. CLERK, BELL CO., TX

WE 0 10 10

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said W. D. LILES, his

heirs and assigns forever and we do hereby bind ourselves, our heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said W. D. LILES, his

heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS our hands at Holland, Texas, this 1st day of June, 1970.

Witness at request of Grantor:

Gene H. Liles
GENE H. LILES
Vlasta Liles
VLASTA LILES
Melmoth Liles
MELMUTH LILES
Wanda Lee Liles
WANDA LEE LILES

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 0 4 2000

Vada Sutton
CO. CLERK, BELL CO., TX

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,
COUNTY OF BELL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

GENE H. LILES

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the 1st day of June A. D. 19 70.

Jerry R. Norman

Notary Public in and for Bell County, Texas

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,
COUNTY OF BELL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

VLASTA LILES

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the 2nd day of June A. D. 19 70.

Jerry R. Norman

Notary Public in and for Bell County, Texas

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,
COUNTY OF BELL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

MELMUTH LILES

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the 2nd day of June A. D. 19 70.

Jerry R. Norman

Notary Public in and for Bell County, Texas

THE STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

WANDA LEE LILES

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 2nd day of June A. D. 19 70.

Jerry R. Norman

Notary Public in and for Bell County, Texas

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 04 2000

Wanda Sutton
CO. CLERK, BELL CO., TX

LED FOR RECORD THIS THE 4 DAY OF JUNE, 1970 AT 8 A. M.

MRS. RUBY MCKEE, COUNTY CLERK
BELL COUNTY, TEXAS

BY: *Ruby McKee* DEPUTY

EXHIBIT 1

Description of Property **Closed Landfill Inventory** Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number P513

Location and Boundary

COG Confidence Level 75%
Latitude 31.0108 N
Longitude 97.7404 W
Narrative Location Description East of FM 440, 5 miles south of Killeen on SH 195
Boundary Description See Deed
Basic Land Units Tract 023300, Block 1005

Land Use Vacant

Ownership Information

Current Property Owner(s) City of Killeen
Current Owner(s) Address PO Box 1329 Killeen, TX 76540
Dates of Ownership 7/13/1964 to the present
Land Unit 197.75 acres

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation 9/24/79 (Issued permit) – 10/8/93 (Closed to wastes)
Enforcement History 10/24/96 - Final cover inspection
Types of Waste Disposed Unknown

Reference Attachments

Deed Record Aug. 1964
Letter from City of Killeen to TNRCC – Notice of Closure Nov. 1993
Affidavit of Boundaries March 1996
Site Survey June 1996
TNRCC Letter Regarding Closure July 1996
10/24/96 – Inspection Report
TNRCC Letter Regarding Inspection Feb. 1997
MSW Inspection Report May 1999
Status of Landfill Research Form Oct. 1999

Talmadge N. Bule
City Manager



THE CITY OF KILLEEN
P.O. Box 1329, Killeen, Texas 76540

Raul G. Villaronga
Mayor

Council

Gordon "Cotton" Adams
Rosa Hereford
Maureen J. Jouett
Fred Latham
Mark A. Manning
Pat Patton
H.F. Rucker, Jr.

November 29, 1993

Texas Natural Resource Conservation Commission
Code and Enforcement Division
ATTN: John Meads
P. O. Box 13087
Austin, Texas 78711-3087

PR 513

Dear Mr. Meads:

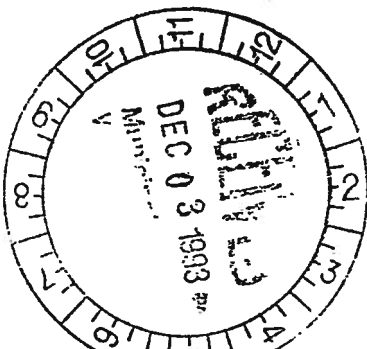
This letter is to notify you and the Texas Natural Resource Conservation Commission that the ~~City of Killeen~~ has closed their landfill. The City closed the landfill on October 08, 1993. There is no waste of any kind entering the site other than the waste dumped at the transfer facility. We are dumping clean brush in a storage only area. When we accumulate a reasonable amount of brush, we plan to have a brush grinder brought in to grind the brush and we will do a land application with the grindings.

If you have any questions or if you require additional information, please do not hesitate to contact my office.

Thank you,

Milton Reid
Milton Reid, Director
Refuse Services Department

MR/sv



DEC 10 93
TWC
CENTRAL RECORDS

STATE OF TEXAS

FILED FOR RECORD
At _____ O'clock _____ AM

AFFIDAVIT TO THE PUBLIC MAR 11 1996

Dada Sutton
COUNTY CLERK BELL COUNTY, TX

COUNTY OF BELL COUNTY

Before me, the undersigned authority, on this day personally appeared Raul Villaronga who, after being by me duly sworn, upon oath states that he is the Mayor of the City of Killeen, which is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being more particularly described as follows:

FIRST TRACT: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN BELL COUNTY, TEXAS, BEING 157.4 ACRES OF LAND OUT OF THE GEO. B. PATTON SURVEY, ABSTRACT 1169, (SOMETIMES REFERRED TO AS THE NORTH 1/2 OF SECTION 2, H.T. & B. RR. CO. CERT. NO. 422), AND BEING OUT OF THE SAME TRACT OF LAND DESCRIBED AS FIRST AND THIRD TRACTS IN A DEED FROM D.C. BURKES AND WIFE, TO H.B. STONEHAM, OF RECORD IN VOLUME 216 PAGE 544 OF THE DEED RECORDS OF BELL COUNTY, TEXAS, AND THE LAND HEREIN DESCRIBED BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING at the Northwest corner of said Sec. 2, H.T. & B.RR. Co. Cert. #422, as established on the ground by an old fence corner;

THENCE with the North line of said Sec. 2, as established by the fence line N 71 E 935.4 vrs. to an iron pin from which a three prong L.O. marked T bears S 17 deg. 3'W 22.7 vrs.;

THENCE S 19 deg. E 950 vrs. to a cedar stake in a stone mound for the Southeast corner of this tract on the South line of the North 1/2 of said Section 2;

THENCE with said line S 71 deg. W 935.4 vrs. to the Southwest corner of said North 1/2 of Sec. 2, an iron pin from which a L.O. marked X bears S 74 deg. 30' E 16.6 vrs.;

THENCE along fence line N 19 deg. W 691 vrs. to fence corner, the Southern most corner of the 216 acre tract of land described in said deed recorded in Volume 216 Page 544 Deed Records of Bell County, Texas;

THENCE N 19 deg. 00'-00" W to the place of beginning, as surveyed on the ground by Dan W. Taylor, Registered Public Surveyor, on October 22, 1958.

57.4
17.14
289

17.43

SECOND TRACT: A TRACT OF LAND IN BELL COUNTY, TEXAS, PART OF THE T.L. BAKER AND A.J. VICKERY SURVEY ABSTRACT NO. 1204 PATENT NO. 39 VOL. 26, AND THE LAND HEREIN DESCRIBED BEING A PART OF THAT 418.25 ACRE TRACT DESCRIBED IN A DEED FROM GEORGE C. STONEHAM TO THE CITY OF KILLEEN, A MUNICIPAL CORPORATION, SAID DEED BEING OF RECORD IN VOLUME 896, PAGE 453, DEED RECORDS OF BELL COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at cedar stake in a stone mound for the Northeast corner of this tract;

THENCE S 19 deg. 00'-00" E a distance of 131.32 ft to a point for the Southeast corner of this;

THENCE S 44 deg. 10'51" W a distance of 600.29 ft to a point along the South line of this;

THENCE S 85 deg. 44'33" W a distance of 553.66 ft to a point along the South line of this;

THENCE S 69 deg. 40'38" W a distance of 1527.58 ft along the south line of this to a point located in the West line of the T.J. Baker and A.J. Vickery Survey being the Southwest corner of this;

THENCE N 19 deg. 00'00" W a distance of 296.53 ft to a point being the Northwest corner of the T.J. Baker and A.J. Vickery survey and the Northwest corner of this;

THENCE N 71 deg. 00'-00" W a distance of 2598.33 ft to the point of beginning containing 17.1356 acres.

THIRD TRACT: A TRACT OF LAND IN BELL COUNTY, TEXAS, PART OF THE T.L. BAKER AND A.J. VICKERY SURVEY ABSTRACT NUMBER 1204, AND THE LAND HEREIN DESCRIBED BEING A PART OF THAT CERTAIN 418.25 ACRE TRACT DESCRIBED IN A DEED FROM GEORGE C. STONEHAM TO THE CITY OF KILLEEN, A MUNICIPAL CORPORATION, SAID DEED BEING OF RECORD IN VOLUME 896, PAGE 453, DEED RECORDS OF BELL COUNTY, TEXAS.

BEGINNING at a concrete monument found being the Southwest corner of the said 418.25 acre tract and being in the South line of the said Baker-Vickery Survey for the Southwest corner of this;

THENCE N 53 deg. 53'00" W, a distance of 1100.00 ft with the Southwest line of the 418.25 acre tract to a point for the Northwest corner of this;

THENCE N 69 deg. 18'11" E, a distance of 1100.00 ft to a point for the Northeast corner of this;

THENCE S 50 deg. 47'44" E, a distance of 100.00 ft to a point in the South line of the 418.25 acre tract and in the South line of the said Baker-Vickery Survey for the Southeast corner of this;

THENCE S 71 deg. 00'-00" W, a distance of 1050 ft with the South line of the 418.25 acre tract of land to the place of beginning containing 22.892 acres of land.

The undersigned further states that from the year 1962 to the year 1993 there was operated on the aforesaid tract of land a Solid Waste Disposal Site.

Further, the City of Killeen was the operator of such Solid Waste Disposal Site from 1962 to 1993.

Notice is hereby provided to any future owner or user of the site to consult with the Texas Natural Resource Conservation Commission prior to planning or initiating any activity involving the disturbance of the landfill cover or monitoring system.

WITNESS MY/OUR HAND(S) on this the 5th day of MARCH, 1996.

Raul Villaronga

Mayor Raul Villaronga
City of Killeen

SWORN TO AND SUBSCRIBED before me on this 5th day of March, 1996

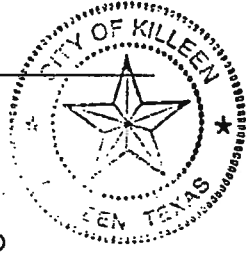


Linda S. Meads

Notary Public in and for
Bell County, Texas

ATTEST: *Paul W. Miller*

City Secretary




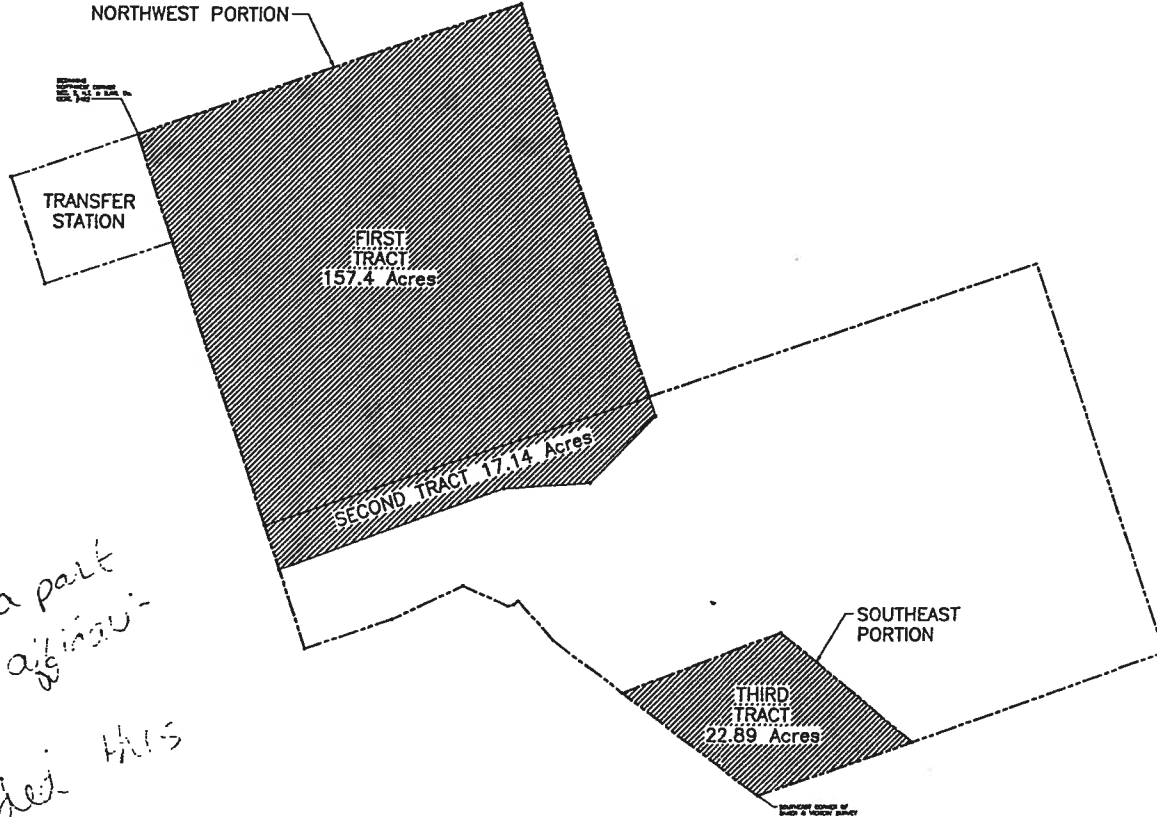
APPROVED AS TO FORM:
[Signature]

City Attorney

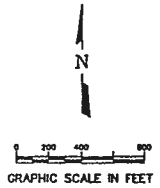
CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

MAR 11 1996

 *Vada Sutton*
CO. CLERK, BELL CO., TX
R. Wooley, Deputy



This is NOT a part of the original. Included this copy for clarification.



LEGEND
 - - - - - PERMIT BOUNDARY
 _____ SURVEY BOUNDARY
 [Hatched Box] AREA TO BE CLOSED



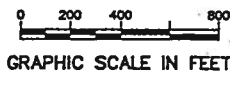
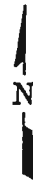
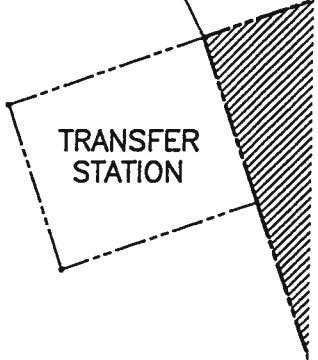
CITY OF KILLEEN, TEXAS
SANITARY LANDFILL
 LANDFILL CLOSURE
 CITY PLAN

NO.	REVISION	BY	DATE	FILE NO.	FILE DATE	REVISION	BY	DATE

SHEET
 SEQ.

NORTHWEST

BEARING
NORTHWEST CORNER
REF. S. H. & S. R. Co.
COR. 7-122



LEGEND

- PERMIT BOUNDARY
- SURVEY BOUNDARY
- ▨ AREA TO BE CLOSED

*THIS IS
NOT a part
of the affidavit*

*Included this
copy for
clarification*



CITY OF KILLEEN, TEXAS
SANITARY LANDFILL
LANDFILL CLOSURE
SITF PI AN

NO. REVISION	DATE	BY	DATE	FAH JOB NO. KILLS069
				FILE S-PLAN.DWG
				DATE 6/12/96
				DESIGNED JA
				DRAWN JAD
				REVIEWED

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, initial scale.

SHEET

SEQ.

R. McBee, Chairman
B. "Ralph" Marquez, Commissioner
John M. Baker, Commissioner
Pearson, Executive Director



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

July 25, 1996

The Honorable Raul Villaronga
Mayor of Killeen
P.O. Box 1329
Killeen, TX 76540-1329

Subject: Municipal Solid Waste - Bell County
City of Killeen - Permit No. MSW-513
5.0 Miles S of Killeen and E of FM-440

Dear Mayor Villaronga:

This is in response to a letter, dated June 13, 1996, from Messrs. Tony Bosecker, P.E., and Jeffrey Arrington, P.E., Freese & Nichols, Inc., submitting additional information concerning the closure activities at the subject site. This information has been reviewed as well as our file to ascertain the status of this site. The receipt of a certified copy of an "Affidavit to the Public" for the closed portions of the subject site was submitted by letter, dated April 15, 1996, from Mr. Arrington. The affidavit, as filed within the Deed Records of Bell County, is acceptable. Also submitted was a copy of the certification report for the final cover at this site. This report is also acceptable. When we receive our region's verification of proper closure, the file for the subject site will be marked inactive pending our region's post-closure maintenance inspections to determine if any post-closure subsidence or erosion problems occur which are in need of correction.

Your cooperation in this matter is appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact me at MC-124, P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6671.

Respectfully,

A handwritten signature in cursive script, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E.
Permits Section
Municipal Solid Waste Division

MDG/ff

cc: TNRCC Region 9
Freese & Nichols, Inc.
Bell County Health District
Killeen Sanitation Superintendent
Killeen City Manager

2008

Texas Natural Resource Conservation Commission Municipal Solid Waste Division Inspection Report: Closed Site

Inspection Date: 10/24/96
Pictures Taken? (Yes) / No

Time: 10:00 A.M.
Copy To: Ground Water / Permit

Permit/ID **MSW-513** Type: **I** Region: **9** County Name: **Bell**
 Permittee / Business Name: **City of Killeen Landfill**
 Responsible Person: **Honorable Raul Villaronga**
 Operation Description: **This is a closed site and there was no activity at the time of this inspection.**

Primary Contact(s): **Wayne McBride**
 Telephone Number(s): **Responsible Person: (817)634-2191, Contact: (817)526-2697**
 Person(s) Contacted: **Wayne McBride**
 Person(s) Participating: **Wayne McBride and Jeff Arrington, Consultant**

NRCC Representative(s): **J. Hoyt Childres**

Purpose of Inspection: Routine Central Office Follow Up
 Complaint Court Order
 Post Closure Pre Closure
 Regional Follow Up Technical Support/Other

Next Inspection: 10/97

Last Inspection: / /

Weather: Cloudy, cool, and light rain.

INSPECTION RESULTS

No.	Article	Description
	330.111	General Requirements
	330.113	Record Keeping Required
	330.113(b)(3)	Methane Monitoring
	330.113(b)(4)	Leachate Disposal
	330.113(b)(5)	Groundwater Monitoring
	330.125	Air Criteria Requirements
	330.253(e)(7)	Signs Posted - Final Clos
	330.253(e)(8)	Affidavit Recieved
	330.254(a)	Post Closure Requirements
	330.254(a)	Cover Erosion
	330.254(a)	Subsidence/Ponding of Wtr
	330.254(a)	Additional Vegetation Req
	330.252(a,b)	Final Cover Completed
	26.121(a)	All Discharges
	26.121(a)(3)	Other Activities



Texas Natural Resource Conservation Commission
Municipal Solid Waste Division
Inspection Report: Closed Site

Comments Page for: MSW-513

Violations

Comments

Inspection Comments

The City requested this inspection in order to put the pre-subtitle D portion of the site into Post Closure Care. The original permit had 418 acres. The portion they want to put into Post Closure is three tracts that total 197.45 acres. They have no current plans to develop the remainder of the site but wanted to keep the option. This inspection revealed that previous violations had been corrected and the 197.45 acres are ready for Post Closure. The consultant has submitted the necessary documentation to our Central Office. Attached is a copy of our letter dated 7-25-96 that indicates the documentation has been accepted. Recommend a letter be sent to the City putting this portion into Post Closure.

TNRCC Representative: _____

Date: 10-30-96

Approved By: _____

Date: 10-30-96

Barry R. McBee, *Chairman*
B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Dan Pearson, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

February 20, 1997

The Honorable Raul Villaronga
Mayor of Killeen
P.O. Box 1329
Killeen, TX 76540-1329

Subject: Municipal Solid Waste - Bell County
City of Killeen - Permit No. MSW-513
5.0 Miles S of Killeen and E of FM-440

Dear Mayor Villaronga:

On October 24, 1996, Mr. J. Hoyt Childres, from our regional office, inspected a 197.45 acre portion of the subject municipal solid waste facility for verification of closure. During this inspection, our representative was accompanied by Messrs. Wayne McBride and Jeff Arrington, P.E.

During this inspection, it was noted that the 197.45 acre portion of this site has met all the closure requirements of 30 Texas Administrative Code (TAC) §330.252. Therefore the 197.45 acre portion of this site shall be considered closed as of the date of this letter and the file will be marked inactive pending completion of the post-closure maintenance period. Post-closure maintenance inspections will be conducted until the post-closure maintenance period has been completed in 2001. All monitoring systems must be maintained throughout the post-closure maintenance period.

Your cooperation in this matter is greatly appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact me at MC-124, P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6671.

Respectfully,

A handwritten signature in cursive script, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E.
Permits Section
Municipal Solid Waste Division

MDG/ff

cc: TNRCC Region 9
Bell County Health District
Killeen Director of Public Works

SEARCHED

FEB 28 97

OFFICE

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

MSW INSPECTION REPORT

Inspection Type: Closed Landfill

Inspection Date:	May 14, 1999	Time:	9:30	Pictures Taken?	Yes	Copy To:	Permits
MSW - 00513	Type:	5	Region:	9	Facility County:	Bell	
Weather Conditions:	Clear and warm						
Entity Name / Permittee:	City of Killeen						
Entity Representative:	David Blackburn - City Manager						
Entity Address:	P. O. Box 1329 Killeen, TX 76540						
Entity Phone Number:	254-526-2697						
Operation Description:	Closed landfill in remediation						
Facility Contact:	Wayne McBride - Director of Solid Waste						
Facility Address:							
Facility Phone Number:	254-526-2697						
Person(s) Contacted:	Wayne McBride						
Person(s) Participating:	Wayne McBride, Jeff Arrington - consultant						
NRCC Inspector:	Robert E. Ferry						
Purpose of Inspection:	Routine	Next Inspection:	May 2000	Last Inspection:			

CENTRAL RECORDS
 JUN 15 99
 RECEIVED

INSPECTION REPORT ATTACHMENTS

Landfill Forms	Landfill Forms Continued	Landfill Forms Continued	Waste Tire Forms	Used Oil/Filter Forms
Type 1-4 Landfill Checklist	X	Type 1-4 Closed Site Checklist	Tire Generator Checklist	UO/UOF Collection Center Ckl.
Site Development Plan Checklist		Unauthorized Site Checklist	Tire Transporter Checklist	Used Oil Handler Checklist
Site Operating Plan Checklist		Processor (Type 5) Checklist	Tire Storage Site Checklist	Used Oil Filter Handler Cklist.
Record Keeping Checklist		Liquid Waste Processor Cklist.	Tire Facility Checklist	Miscellaneous Forms
Landfill Gas Checklist		Medical Waste Checklist	Tire Transport. Facility Cklist.	Attachment Page(s)
Landfill Gas Well Report		Compost Checklist	Land Reclamation Checklist	Photograph Page(s)
Asbestos Checklist			PEL Inspection Checklist	Site Diagram
Groundwater Checklist				Property Ownership Page
Groundwater Well Report				IOM
Closure Checklist				

Representative's Signature:	Date:	
-----------------------------	-------	--

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION MSW INSPECTION REPORT

Page 2

MSW - 00513		Facility Name:	City of Killeen Closed Landfill	County Name:	Bell
Inspection Date:	May 14, 1999	TNRCC Investigator:	Robert E. Ferry		

Approved By:		Date:	
--------------	--	-------	--

VERBAL OR WRITTEN VIOLATIONS NOTED

No.	Rule Cited	Description of Violation
1.	330.254(a)(1)	Erosion, subsidence, and lack of vegetation were noted during the inspection. A remediation project is currently on-going.
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION MSW INSPECTION REPORT

Page 2

MSW - 00513		Facility Name:	City of Killeen Closed Landfill	County Name:	Bell
Inspection Date:	May 14, 1999	TNRCC Investigator:	Robert E. Ferry		

Approved By:		Date:	
--------------	--	-------	--

VERBAL OR WRITTEN VIOLATIONS NOTED

No.	Rule Cited	Description of Violation
1.	330.254(a)(1)	Erosion, subsidence, and lack of vegetation were noted during the inspection. A remediation project is currently on-going.
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION MSW INSPECTION REPORT

Page 3

ISW - 00513		Facility Name:	City of Killeen Closed Landfill	County Name:	Bell
Inspection Date:	May 14, 1999	TNRCC Investigator:	Robert E. Ferrv		

GENERAL INSPECTION DESCRIPTION / COMMENTS

INSPECTION TYPE:

This was a routine inspection of a closed landfill in post-closure maintenance. An ongoing multi-year remediation project is being conducted to correct problems with subsidence and erosion.

INSPECTION JUSTIFICATION:

The writer contacted Mr. Wayne McBride on March 25, 1999, and scheduled an inspection for April 22, 1999. This inspection had to be rescheduled due to conflicts and was conducted on May 14, 1999. In addition, an inspection was also conducted at the Transfer Station and the W. S. Young Closed Landfill.

COMMENTS:

The City of Killeen Landfill has a permitted area of 418.25 acres. Following closure of the 197 acre pre-subtitle D portion, it was decided to keep the unused portion permitted in case the City decided to reopen it under Subtitle D rules.

The file search determined the following chronology of events:

Dec 1992 - The closure plan for the facility was approved.

Oct 8, 1993 - Site closed

Spring 1994 - Final cover activities completed

Jan 20, 1995 - Complaint #099500278 is received in this office about the landfill. An investigation found seepage from the landfill at two spots.

Feb 21, 1995 - A response letter outlining the corrective action was received from the entity.

March 1995 - Repair of the seeps is begun.

July 1995 - Remediation of the seeps is completed

March 11, 1996 - Affidavit to the public (ATTP) filed in the Bell County Courthouse.

April 15, 1996 - ATTP submitted to TNRCC

July 25, 1996 - ATTP accepted by TNRCC

August 9, 1996 - A report from Freese and Nichols, inc. to the City of Killeen identified several areas of erosion, subsidence, lack of vegetation, and other features that need correction. Remediation recommendations were prioritized according to importance to allow major construction items to be performed in stages.

October 24, 1996 - Closure inspection conducted by Region 9 inspector. Facility recommended for post-closure.

February 20, 1997 - TNRCC letter placing the facility into five year post-closure maintenance.

During the inspection conducted on May 14, 1999, the remediation project was observed to be well underway.

23 ✓

Status of Landfill Research Form

Quillen

Permit No. 513 Issue Date 9/24/79 County Bell Permitted Acres 418.25

Technical Pkg Submitted for Permit? Yes File Loc. Part 1 (1) Correspondence files No

Date Closed to Waste Recept. 10/8/93 File Loc. Vol 2 Correspondence file

Date of Final Cover Inspection 10/24/96 File Loc. Vol 2 Correspondence file

*Date Affidavit(s) Approved 7/25/96 Acreage Closed 197.45
(If none, please indicate so)

File Loc. Vol 2 Correspondence file

Closure Plan Exists? Yes File Loc. _____ No

Date Closure Plan Approved 12/92 File Loc. _____

Date(s) Post Closure Started 2/20/97 ^{197.45 acre portion} File Loc. _____

Vol 2 Correspondence file

Date(s) Post Closure Ends _____ File Loc. _____

Length of Post Closure Period: 5 yrs. 30 yrs. Other (no. of yrs.) _____

*File Closed Date _____ File Loc. _____
(If none, please indicate so)

*Date of "Inactive Status" Acknowledgment Letter _____ File Loc. _____
(If none, please indicate so)

Name of Researcher Anastasia Lail

Date Research Conducted 10/25/99

* copy needed
→ affidavit is for closure of pre subtitle-B area. Applicant requested closure of that part, has no plans of developing the remainder of the permitted area but want to keep the option to do so. (see highlighted comments)

PL

Part A Application submitted

m1

BEING 200 frontage feet and 300 feet deep, more or less, and being out of the Stephan Eaton Survey of Abstract No. 298 and a part of the lands deeded to F.D. Naler by Jesse B. Neal and Pauline Neal of date on May 30, 1951 and of record in the Deed Records of Bell County, Texas, in Volume 639, page 443 and being the West side of said lands, said property being more particularly described in a deed to W.A. Puett et ux from F.D. Naler et ux of record in Vol. 828, page 433 Deed Records of Bell County, Texas;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS That TEMPLE NATIONAL BANK a corporation, the payee and owner and holder of said note, for and in consideration of the sum of TWELVE THOUSAND FIVE HUNDRED AND 00/100 Dollars to it in hand paid by TEMPLE SAVINGS AND LOAN ASSOCIATION the receipt of which is hereby acknowledged, has Sold, Transferred and Conveyed, and does hereby Sell, Transfer and Convey unto said TEMPLE SAVINGS & LOAN ASSOCIATION of the County of Bell, Texas, the said Note and said lien and all liens and titles held by it in and to said land.

To have and to hold the same unto the said TEMPLE SAVINGS & LOAN ASSOCIATION, its successors and assigns forever.

IN WITNESS WHEREOF, the said Corporation has caused these presents to be signed by its duly authorized officers and to be sealed with the Seal of the Corporation, at Temple, Texas this 15th day of August, A.D. 1964.

(seal) Attest

TEMPLE NATIONAL BANK

Barbara H. Baldwin, Assistant Cashier

By S.R. Greenwood, Vice President

THE STATE OF TEXAS, I

COUNTY OF BELL I

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared S.R. Greenwood, Vice President of Temple National Bank a corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Temple National Bank a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 15 day of August A.D. 1964.

(seal)

Car Jones, Notary Public
in and for Bell County, Texas

Filed for record August 19, 1964, at 10:15 a.m.

Mrs. Ruby McKee, County Clerk, Bell County, Texas

By: B. Wallace, Deputy

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

THE STATE OF TEXAS, I

COUNTY OF BELL I

KNOW ALL MEN BY THESE PRESENTS:

That George C. Stoneham of the County of Bell State of Texas, for and in consideration of the sum of Forty-nine Thousand Seven Hundred Thirty-seven and No/100 (\$49,737.00) DOLLARS to me paid, and secured to be paid, by The City of Killeen, a Municipal Corporation as follows:
a. \$14,737.00 cash in hand paid, the receipt of which is hereby acknowledged and confessed;
b. \$35,000.00 as evidenced by one certain Vendor's Lien Note of even date herewith, executed by The City of Killeen, a Municipal Corporation, and being payable at Killeen, Texas to George C. Stoneham, or order, as follows: \$12,000.00 on or before January 10, 1965, plus 5% interest; \$12,000.00 on or before January 10, 1966, plus 5% interest, and a final payment of \$11,000.00 on or before January 10, 1967, Plus 5% interest and said note containing the usual penalties and provisions common to like notes, and being fully described in, and secured by a Deed of Trust of even date herewith, to C.W. Duncan, Jr., Trustee for the benefit of the holder hereof.

de Sutton
CLERK, BELL CO.

AUG 09 2000

454

Vada Sutton
CO. CLERK, BELL CO. TX

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said The City of Killeen, A Municipal Corporation of the County of Bell State of Texas all that certain 418.25 acres of land, more or less, out of and a part of the T.J. Baker and A.J. Vickery Survey, Abstract No. 1204, Patent No. 39, Volume 26 out of the Richard A. McGee Survey and out of the George B. Patton Survey, situated in Bell County, Texas, and being described by metes and bounds as follows, to two tracts, to-wit:

FIRST TRACT; Being all that certain lot, tract or parcel of land lying and being situated in Bell County, Texas, being out of and apart of the T.J. Baker and A.J. Vickery Survey, Abstract No. 1204 Patent No. 39 Volume 26, and being otherwise known and described as the South one-half of Section No. 2, H.T. & B.R.R. Co. Cert. #422, on the waters of Lampasas River about 18 miles West of Belton, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a point in the West line of said Baker and Vickery Survey, 1810 feet N 19 West from the Southwest corner of said survey for the beginning point of this;

Thence with the wire fence as follows: N 71 E 586 feet N 64 E 511 feet; S 65 deg. 40' East 313 feet: 1 deg. 10' E 40 feet; N 49 deg. 30' E 35 feet; S 41 deg. 3 335 feet; and S 53 deg. 53' E 1648 feet to a point in the South line of said Baker and Vickery Survey, 2903 feet to the Southeast corner thereof;

Thence N 19 W 2640 feet to the Northeast corner of said Baker and Vickery Survey;

Thence 71 W 5280 feet to the Northwest corner of said Baker and Vickery Survey;

Thence S 19 E 830 feet to the place of beginning,

Containing 246.75 acres of land, more or less, and being a portion of that certain tract described as containing 320 acres in the deed from J.A. Turnbo and wife, D.L. Turnbo to H.B. Stoneham, dated May 29, 1911, and of record in Volume 216, Page 582 of the Deed Records of Bell County, Texas, to which and the record thereof reference is here made for all purposes;

SECOND TRACT: All that certain lot, tract or parcel of land lying and being situated in Bell County Texas, being 171.5 acres, more or less, being 14.1 acres of land out of the Richard A. McGee Survey, and 157.4 acres of land out of the Geo. B. Patton Survey, Abstract 1169, (sometimes referred to as the North 1/2 of Section 2, H.T. & B. RR. Co. Cert. No. 422), and being out of the same tract of land described as First and Third Tracts in a deed from D.C. Burkes and wife, to H.B. Stoneham, of record in Volume 216 Page 544 of the Deed Records of Bell County, Texas, and the land herein described being more particularly described by metes and bounds as follows, to-wit:

Beginning at the Northwest corner of said Sec. 2, H.T. & B. RR. Co. Cert, #422, as established on the ground by an old fence corner;

Thence with the North line of said Sec. 2, as established by the fence line N 71 E 935. vrs. to an iron pin from which a three prong L.O. marked T bears S 17 deg. 3' W 22.7 vrs.;

Thence S 19 deg. E 950 vrs. to a cedar stake in a stone mound for the Southeast corner of this tract on the South line of the North 1/2 of said Section 2;

Thence with said line S 71 deg. W 935.4 vrs. to the Southwest corner of said North 1/2 of Sec. 2, an iron pin from which a L.O. marked X bears S 74 deg. 30' E 16.6 vrs;

Thence along fence line N 19 deg. W 691 vrs. to fence corner, the Southern most corner of the 216 acre tract of land described in said deed recorded in Volume 216 Page 544 Deed Records of Bell County, Texas;

Thence with the fence line S 71 deg. W 310 vrs. to the Southwest corner of said 216 acre tract as established by the fence corner;

Thence with the West line of the same as fenced, N 18 deg. 12' W 259 vrs. to old fence corner for the Northwest corner of this tract;

THENCE N 71 deg. E 306.4 vrs. to the place of beginning, as surveyed on the ground; by Dan W. Taylor, Registered Public Surveyor, on October 22, 1958.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said City of Killeen, A Municipal Corporation, its successors, heirs and assigns forever and I do hereby bind myself, my heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said City of Killeen, a Municipal Corporation, its successors, heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

But it is expressly agreed and stipulated that the Vendor's Lien is retained against the above described property, premises and improvements, until the above described note, and all interest thereon are fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

WITNESS my hand at Killeen, Texas, this 13th day of July 1964

\$55.00 Fed. Rev. Stamps
Cancelled 8-19-64 NRM
THE STATE OF TEXAS, I

George C. Stoneham

COUNTY OF BELL I

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared George C. Stoneham known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13 day of July A.D. 1964.

(seal)

Tom A. Carlile, Notary Public
in and for Bell County, Texas

Filed for record Aug. 19, 1964, at 3:15 p.m.

Mrs. Ruby McKee, County Clerk, Bell County, Texas
M. Hess, Deputy

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

THE STATE OF TEXAS, I
COUNTY OF BELL I

KNOW ALL MEN BY THESE PRESENTS:



Paula Sutton
CO. CLERK BELL CO. TX
J. Centers

That Larry Renick and June Renick of the County of Bell State of Texas for and in consideration of the sum of Eleven thousand ninety nine and 52/100 (\$11,099.52) DOLLARS, to them in hand paid by Bernard Leroy Southworth and wife, Norma G. Southworth as evidenced by their promissory note to Allied Finance Company of Waco of even date, herewith,

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said Bernard Leroy Southworth and wife, Norma G. Southworth of the County of Bell, State of Texas, all that certain lot, tract or parcel of land described as follows, to wit:

Lot two (2), Block Ten (10), Kern Acres 2nd Extension and Revisions, an addition to the City of Harker Heights, Bell County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Bernard Leroy Southworth and wife Norma G. Southworth, their heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators, to Warrant and Forever Defend all and singular the said premises unto the said Bernard Leroy Southworth and wife, Norma G. Southworth heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

Witness our hand at Bell County, Texas this 12th day of August A.D. 1964.

Witnesses at Request of Grantor:
Bud Scott

Larry Renick
June Renick

\$12.65 Fed. Rev. Stamps
Cancelled 8-20-64 NRM

EXHIBIT 1

Description of Property

Closed Landfill Inventory Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number P579

Location and Boundary

COG Confidence Level 75%
Latitude 31.0585 N
Longitude 97.5882 W
Narrative Location Description 1 mile south of US 190, 2 miles west of FM 2410 and US 190,
southeast of Nolanville
Boundary Description See Deed
Basic Land Units Tract 021800, Block 3010

Land Use Vacant

Ownership Information

Current Property Owner(s) City of Nolanville
Current Owner(s) Address PO Box 128; Nolanville, TX 76559
Dates of Ownership Unknown
Land Unit 30 acres

Site History and Current Status

Previous Owner(s) Mary Ann Cox (Widow)
Dates of Operation 1968 - 9/16/1989 (Permit Issued 9/24/79)
Enforcement History 4/8/99 - Closure inspection
Types of Waste Disposed Unknown

Reference Attachments

Deed Record Dec. 1968
Affidavit of Landfill Oct. 1991
Texas Water Commission Letter Regarding Affidavit Feb. 1993
Texas Water Commission Letter Regarding Affidavit July 1993
Surveyed Landfills—Digital Information January 1998
Status of Landfill Research Form Oct. 1999
Survey Maps



FILED FOR RECORD
Noah Van Kirk, Sr.
MAYOR
91 OCT 29 AM 9 55
VADA SUTTON
CLERK, BELL COUNTY TX.
DEPUTY

022653

AFFIDAVIT TO THE PUBLIC

STATE OF TEXAS
COUNTY OF BELL

Before me, the undersigned authority, on this day personally appeared City of Nolanville who, after being by me duly sworn, upon oath states that he is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being more particularly described as follows:

N 31° 03.20'
W 97° 34.90'
29.89 ac.

The undersigned further states that from the year 1968 to the year 1989 there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on that portion of the aforesaid tract described as follows:

City Landfill

Further, the undersigned, Rex Robertson was the operator of such Solid Waste Disposal Site.

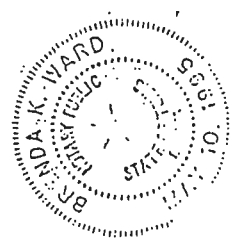
Notice is hereby provided to any future owner or user of the site to consult with the Texas Department of Health prior to planning or initiating any activity involving the disturbance of the landfill cover or monitoring system.

WITNESS OUR HANDS on this 29th day of October, 1991.

Noah Van Kirk, Sr.
Owner - Mayor of the City of Nolanville
Rex Robertson
Operator

SWORN TO AND SUBSCRIBED before me on this the 29th day of October, 1991.

Brenda K. Ubid.
Notary Public in and for Bell County, Texas



VOL. 2774 PAGE 326

SOLID WASTE MGMT.
1993 JAN 14 PM 1:50

MSW-579

	Date	Initials
Originator	29 Jan 93	MDG
Team Ldr	1/29/93	MDG
Sect Mgr	_____	_____
Div Dir	_____	_____
Mailed	2/19/93	MDG
Filed	2/21/93	MDG

FEB 1 " 1993

Honorable Noah Van Kirk, Sr.
Mayor of Nolanville
100 Main Street
Nolanville, TX 76559

Re: Municipal Solid Waste - Bell County
City of Nolanville - Permit No. MSW-579
SE of Nolanville

Dear Mayor Van Kirk:

The Commission has received a certified copy of an "Affidavit to the Public" for the subject site. The affidavit, as filed within the Deed Records of Bell County is acceptable. When we receive our district's verification of proper closure, the file for the subject site will be marked inactive pending our district's post-closure maintenance inspections at least through the year 1998 to determine if any post-closure subsidence or erosion problems occur which are in need of correction. If at the end of the five-year post-closure maintenance period the site is found to have been satisfactorily maintained, the subject file will be marked closed since you have indicated that the site has been filled and rendered unusable by closing and submitting the closure affidavit.

Your cooperation in properly closing and maintaining this site is appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Mr. Phil A. Spry, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 908-6674 or you may prefer to contact Mr. Larry Fergusson, District Manager, at 14000 Woodway Drive, Waco, Texas 76712-3193; telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the district office as well as to our central office. Final Para

Sincerely,



Michael D. Graeber, P.E., Team Leader
Permits Section
Municipal Solid Waste Division

MDG/PAS/jad

cc: TWC District 3 Office
Bell County Health District
Nolanville Director of Public Works

Chairman
ed, Commissioner
Garner, Commissioner



File

TEXAS WATER COMMISSION

PROTECTING TEXANS' HEALTH AND SAFETY BY PREVENTING AND REDUCING POLLUTION

JUL 19 1993

Honorable June Parker
Mayor of Nolanville
100 Main Street
Nolanville, TX 76559

Re: Municipal Solid Waste - Bell County
City of Nolanville - Permit No. MSW-579
SE of Nolanville, 1.0 Mile S of US-190

Dear Mayor Parker:

A review of our records indicates that the subject site has submitted an acceptable "Affidavit to the Public" and that the final cover work has been completed and verified by our field representative.

This site has now met all the closure requirements of 31 Texas Administrative Code (TAC) §330.152. The site shall be considered closed as of the date of this letter and the file will be marked inactive pending completion of the post-closure maintenance period. Post-closure maintenance inspections will be conducted until the post-closure maintenance period has been completed in 1998. All monitoring systems must be maintained throughout the post-closure maintenance period.

Your cooperation in this matter is greatly appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Mr. Jerry L. Garnett, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 908-6673 or you may prefer to contact Mr. Larry Fergusson, District Manager, at 6801 Sanger Avenue, Waco, Texas 76710-7807; telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the district office as well as to our central office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E., Team Leader
Permits Section
Municipal Solid Waste Division

MDG/jad

cc: TWC District 3 Office
Bell County Health District
Nolanville Director of Public Works

Surveyed Landfills - Digital Information

(please fill out as completely as possible)

Date: 1/8/98 Your name: J. Jones

Name of County: Bell Name of City: Nolanville

Permit # 579 Are There Curves? (YES / NO) (NO)

Starting Coordinates (x,y): 5677575.1608 7126558.4138

Gap Calculated in MapDraw: 0.98 Acreage Calculated in MapDraw: 30.14

Acreage Given in Information Package: 29.89

Have These Files Been Saved On Network File Directory? (YES) / NO

Name of MapDraw Map File / Text File (.map/.txt)? LF579.map / LF579.txt

Arc/Info COGO

Date: _____ Your name: _____

Was This Site Digitized? (YES / NO)

Error of Closure Calculated in COGO: _____

Acreage Value Calculated in COGO: _____

Has Topology Been Built for the Coverage (YES / NO)

What State Plane Zone is This County in? _____

Name of .E00 file? _____

Has This File Been Saved On Network File Directory? (YES / NO)

Comments:

City of Nolanville

Status of Landfill Research Form

23 ✓

Permit No. 579 Issue Date 9/24/79 County Bell Permitted Acres 30.

Technical Pkg Submitted for Permit? Yes _____ File Loc. _____ No ^{not} located

Date Closed to Waste Recpt. 9-16-89 File Loc. Microfiche page 3 Row C
City letter 8-7-90

Date of Final ^{Closure} ~~Cover~~ Inspection 4-8-99 File Loc. corresp. file

*Date Affidavit(s) Approved 7-19-93 Acreage Closed 29.89
(If none, please indicate so)

File Loc. correspondence file

Closure Plan Exists? Yes _____ File Loc. _____ No not located

Date Closure Plan Approved _____ File Loc. _____

Date(s) Post Closure Started 7-19-93, _____, _____ File Loc. _____

corresp. file (1999 Insp. Rept)

Date(s) Post Closure Ends 1998, _____, _____ File Loc. _____

correspondence file (TWC letter 7-19-93)

Length of Post Closure Period: 5 yrs. 30 yrs. _____ Other (no. of yrs.) _____

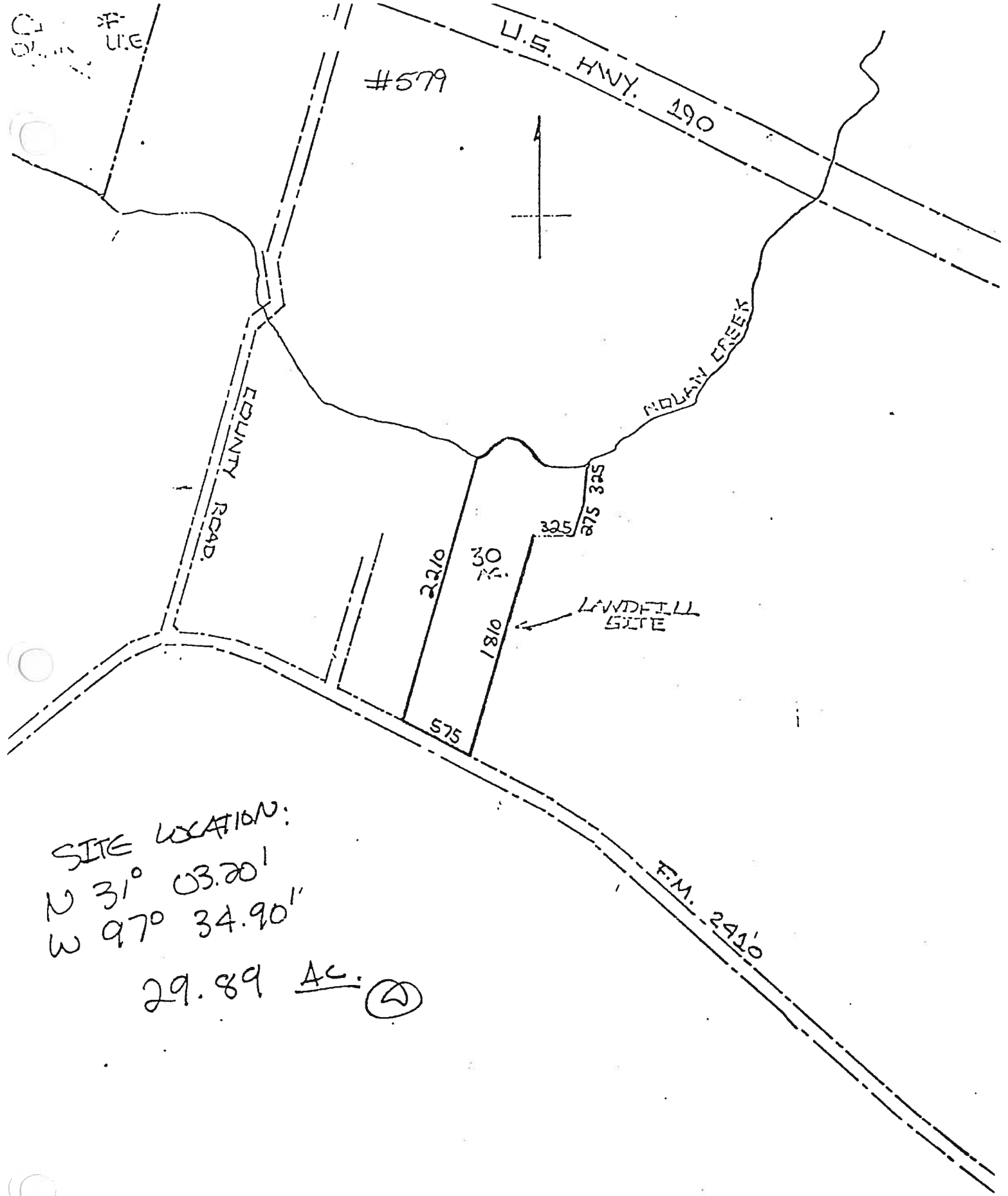
*File Closed Date none File Loc. _____
(If none, please indicate so)

*Date of "Inactive Status" Acknowledgment Letter not located File Loc. _____
(If none, please indicate so)

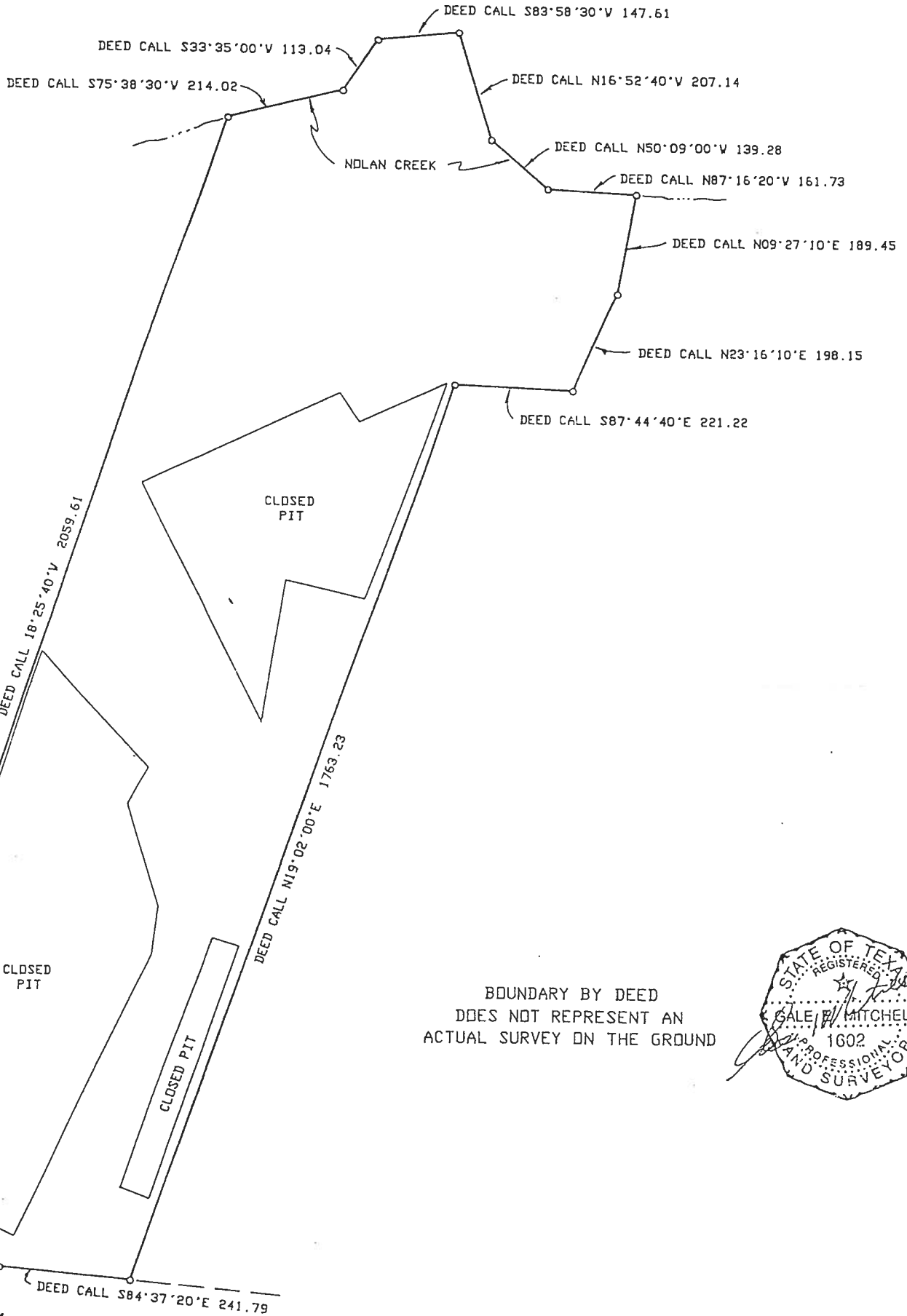
Name of Researcher M. C. Loney

Date Research Conducted 10-26-99 (file 0:15, fiche 0:30)

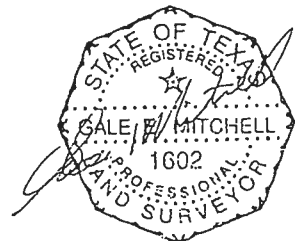
* copy needed



SITE LOCATION:
 N 31° 03.20'
 W 97° 34.90"
 29.89 Ac. (2)



BOUNDARY BY DEED
 DOES NOT REPRESENT AN
 ACTUAL SURVEY ON THE GROUND



F.M. 2410

299
1035

The State of Texas,
BELL
COUNTY OF ~~Lampasas~~

Know all Men by These Presents:

That we, James Franklin Cox and wife, Faye Cox joined herein by Ann Cox, widow of Joe Cox, deceased who is also known as Mary Ann Cox

of the County of Lampasas State of Texas for and in consideration

of the sum of

SEVEN THOUSAND FIVE HUNDRED AND NO/100 ----- DOLLARS

to US in hand paid by THE CITY OF NOLANVILLE, TEXAS as follows:

Cash, to us in hand paid, the receipt and sufficiency of which is hereby acknowledged and confessed by the execution and delivery of this instrument to the said City

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said

City of Nolanville, Texas

of the County of Bell State of Texas all that certain tract of land in Bell County, Texas, out of and a part of the John Hughes Survey, Abstract No. 379, and the land herein described being a part of that certain tract described as 181 acres in a deed from D.T. Harris et ux, et al to A. J. Cox, said deed being of record in Vol. 408 page 525, Deed Records of Bell County, Texas.

BEGINNING at the intersection of the east line of the said 181 acre tract with the north right-of-way of FM road 2410, a post for the corner of this.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000



Wade Sutton
CO. CLERK, BELL CO., TX

THENCE N. 19° 02' 00" E. , 1763.23 feet to an 8-inch cedar for an ell corner of this.

THENCE with a meandering fence as follows, to-wit: S. 87° 44' 40" E. 221.22 feet, a post; N. 23° 16' 10" E., 198.15 feet, a post; and N 9° 27' 10" E., 189.45 feet to a point in Nolan Creek for the northeast corner of this.

THENCE up Nolan Creek with its meanders, the principal chords of which are as follows, to-wit: N. 87° 16' 20" W., 161.73 feet; N. 50° 09' 00" W., 139.28 feet; N. 16° 52' 40" W., 207.14 feet; S. 83° 58' 30" W., 147.61 feet; S. 33° 35' 00" W., 113.04 feet; and S. 75° 38' 30" W., 214.02 feet to a point in the said Creek for the northwest corner of this.

THENCE S. 18° 25' 40" W., 2059.61 feet to an iron pipe in the north margin of the afore mentioned FM road 2410 for the southwest corner of this.

THENCE S. 53° 57' 30" E., 310.56 feet to a monument in the said FM road and S. 84° 37' 20" E., 241.79 feet to the place of beginning, containing 30.0 acres of land.

HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said

City of Nolanville, Texas, its successors or

~~heirs and assigns~~ forever and we do hereby bind ourselves, our heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said

City of Nolanville, Texas, its successors or

~~heirs and assigns~~, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS our hand at Lampasas, Texas

this 7th day of December, A. D. 1968

Witness at request of Grantor:

James Franklin Cox

Faye Cox

Mary Ann Cox

CERTIFIED COPY DOCUMENT ATTACHED IS A TRUE & CORRECT COPY OF THE ORIGINAL ON FILE

AUG 09 2000



Vada Sutton CO. CLERK, BELL CO., TX

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,
COUNTY OF Lampasas

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared James Franklin Cox and wife, Faye Cox known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 7th day of December, A. D., 1968

Notary Public in and for Lampasas County, Texas.

E-614—SINGLE ACKNOWLEDGMENT—Class 1.

Clarke & Courts, Inc.

THE STATE OF TEXAS
COUNTY OF Lampasas
a Notary Public

BEFORE ME, J. C. Abney,
in and for said County and State, on

this day personally appeared Mary Ann Cox known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 11th day of December, 1968

Notary Public, Lampasas County, Texas

FILED FOR RECORD THIS THE 30 DAY OF DECEMBER, 1968 at 8 A.M

MRS. RUBY MCKEE, COUNTY CLERK
BELL COUNTY, TEXAS

BY: _____ DEPUTY

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

Lada Sutton
CO. CLERK, BELL CO., TX
A. Cutler

EXHIBIT 1

Description of Property

Closed Landfill Inventory Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number P 622

Location and Boundary

COG Confidence Level 50%
Latitude 30.9241 N
Longitude 97.2324 W
Narrative Location Description FM 437 south, 1 mile south of Rogers
Boundary Description See Deed
Basic Land Units Tract 023402, Block 1040

Land Use

Recreational area

Ownership Information

Current Property Owner(s) City of Rogers
Current Owner(s) Address PO Drawer 250; Rogers, TX 76569
Dates of Ownership 3/6/1985 – present
Land Unit 3.5 acres

Site History and Current Status

Previous Owner(s) Robert Brann Allison
Dates of Operation Unknown
Enforcement History Unknown
Types of Waste Disposed Unknown

Reference Attachments

Warranty Deed March 1985
Texas Water Commission Landfill Inventory

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date:

Name of Site 1) Rogers 2)

County Bell District 03 River Basin I

Location 1 mi. S. of Rogers

Latitude _____ Longitude _____ Code II

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5' Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner Bell County Code III
Address _____
Telephone _____

Dates of Operation _____ to UK Size 4 acres/cu. yds
(circle one)

Parties That Utilized Site Bell Rogers and surrounding area

Type of Waste: Household Y/N Construction/Demolition _____ Industrial _____
Y/N Y/N

Tires _____ Agricultural _____ Brush _____ Other _____
Y/N Y/N Y/N

Hazardous Waste: Unlikely _____ Y/N
Probable _____ Y/N
Certain _____ Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

Y/N
Y/N

Maximum Depth _____ Feet

Code IV

Constructed Liner Y/N If yes, describe _____

CLOSURE AND POST-CLOSURE

Final Cover Y/N Minimum Thickness _____ Code V

Current Use VI

Buried Utilities Y/N Structures Y/N Adjacent Structures (within 3000 ft) Y/N

Petroleum/Product Pipelines Y/N Wells (oil or water) Y/N

Status

Seeps Y/N _____

Gas Y/N _____

Vegetative Distress Y/N _____

Cover Erosion Y/N _____

Ponded Water Y/N _____

Dates of Observation

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

II a) from inspection
b) from map
c) reported

III a) certain
b) reported
c) speculated

IV a) certain
b) reported
c) speculated

V a) certain
b) reported
c) speculated

VI a) residential
b) commercial
c) industrial
d) park/recreation
e) school/hospital
f) agricultural
g) road
h) municipal
i) no activity

WARRANTY DEED (LONG FORM)

THE STATE OF TEXAS
COUNTY OF BELL

} KNOW ALL MEN BY THESE PRESENTS:

That I, ROBERT BRANN ALLISON, a single person,

of the County of Bell and State of Texas for and in

consideration of ~~the sum of~~ my desire to provide a place for the young people of Rogers, Texas to use for organized recreation and sports **DOLLARS**

and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, for which no liens are retained either express or implied,

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000



Wade Sutton
CO. CLERK, BELL CO., TX

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto

CITY OF ROGERS, TEXAS

of the County of Bell and State of Texas *W.A.P.* *TRACT B*

the following described real property in Bell County, Texas, to-wit:

specifically set forth in Exhibit "A" attached hereto and made a part hereof.

The property shall be used only for organized recreation and sports. No alcoholic beverages shall be sold or consumed on the premises or the premises will revert to the Grantor.

The City of Rogers shall be responsible to make sure the premises are properly maintained and in the event the City fails to maintain the grounds for at least one (1) year, the premises shall revert to the Grantor.

If the property is used for profit making events, except by charitable or non-profit organizations, the property will revert to the Grantor.

The City shall not allow parking of automobiles on the premises except for an organized event, otherwise, the property shall revert to Grantor.

CONDUCTED ON SAID PROPERTY B.A. W.A.P.

No use of sound systems or amplifications systems shall be used on the premises after 11:00 p.m. or the premises will revert to the Grantor.

CERTIFIED COPY &
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000



Vada Sutton
CO. CLERK, BELL CO., TX

MAYBEVALE DEED

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, its ^{successors} ~~heirs~~ and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, its ^{successors} ~~heirs~~ and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 6 day of *March*, A. D. 19 84⁵

Robert Brann Allison
ROBERT BRANN ALLISON

Mailing address of each grantee:
Name: City of Rogers
Address: P. O. Drawer 250
Rogers, TX 76569

Name:
Address:
CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE
AUG 09 2000

Vada Sutton
CO. CLERK, BELL CO., TX
A. Carter

(Acknowledgment)

STATE OF TEXAS }
COUNTY OF BELL }
This instrument was acknowledged before me on the
by ROBERT BRANN ALLISON
My commission expires:
10-19-88

6th day of *March*, 1984⁵,
Jerry Linda Stegk
Notary Public, State of Texas
Notary's printed name:

EXHIBIT 1

Description of Property

Closed Landfill Inventory Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number P1330

Location and Boundary

COG Confidence Level 75%
Latitude 31.0433 N
Longitude 97.4368 W
Narrative Location Description 1 mile southeast IH 35 and FM 93 intersection, south of FM 93
Boundary Description See Deed
Basic Land Units Tract 021500, Block 1003

Land Use Vacant

Ownership Information

Current Property Owner(s) Mrs. Susanne N. Bond
Current Owner(s) Address PO. Box 1473; Victoria, TX 77901
Dates of Ownership Unknown
Land Unit 24.98 acres

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation 1981 – 4/8/1991 (Permit Issued 6/16/80)
Enforcement History Unknown
Types of Waste Disposed Municipal solid waste

Reference Attachments

Deed Record Oct. 1979
Texas Water Commission – Verification of Closure June 1993
Status of Landfill Research Form Oct. 1999

John Hall, Chairman
Pam Reed, Commissioner
Peggy Garner, Commissioner



MSW-1330
VKC

TEXAS WATER COMMISSION

PROTECTING TEXANS' HEALTH AND SAFETY BY PREVENTING AND REDUCING POLLUTION

JUN - 2 1993

Honorable Clark Potter
Mayor of Belton
P.O. Box 120
Belton, TX 76513

Re: Municipal Solid Waste - Bell County
City of Belton - Permit No. MSW-1330
1.0 Mile SE of Belton

Dear Mayor Potter:

On April 2, 1993, Mr. J. Hoyt Childres, from our district office, inspected the subject municipal solid waste facility for verification of closure. During this inspection, our representative was accompanied by Messers. Jeff Holberg, City Manager, Jim Boecher, City of Belton, and Wm. Mack Parker, P.E., Roming-Parker Associates.

During this inspection, it was noted that this site has met all the closure requirements of 31 Texas Administrative Code (TAC) §330.152. Therefore the site shall be considered closed as of the date of this letter. Post-closure maintenance inspections will be conducted until the post-closure maintenance period has been completed in 1998. Current landfill monitoring activities, such as ground water monitoring, earth electrical resistivity surveys, methane gas monitoring, etc., will also continue through the five year post closure period. There must be no change in the reporting of data from these activities.

Your cooperation in this matter is greatly appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Jerry L. Garnett, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 908-6673 or you may prefer to contact Mr. Larry Fergusson, District Manager, at 6801 Sanger Avenue, Waco, Texas 76710-7807; telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the district office as well as to our central office.

Sincerely,

A handwritten signature in cursive script that reads "Michael D. Graeber".

Michael D. Graeber, P.E., Team Leader
Permits Section
Municipal Solid Waste Division

MDG/JLG/jad

cc: TWC District 3 Office
Bell County Health District
Belton Director of Public Works

CENTRAL RECORDS
TWO

JUN - 3 93

Status of Landfill Research Form

1330

Permit No. 1330 Issue Date June 16, 1980 County Bell Permitted Acres 24.98

Technical Pkg Submitted for Permit? Yes File Loc. Central Records Microfiche No

Date Closed to Waste Recept. ^{UNKNOWN}
September 1993 File Loc. Central Records

Date of Final Cover Inspection April 2, 1993 File Loc. Central Records

*Date Affidavit(s) Approved NONE Acreage Closed
(If none, please indicate so)

File Loc.

Closure Plan Exists? Yes File Loc. Central Records No

Date Closure Plan Approved October 21, 1991 File Loc. Central Records

Date(s) Post Closure Started June 2, 1993, , File Loc. Central Records

Date(s) Post Closure Ends 1998, , File Loc. Central Records

Length of Post Closure Period: 5 yrs. 30 yrs. Other (no. of yrs.)

*File Closed Date June 2, 1993 File Loc.
(If none, please indicate so)

*Date of "Inactive Status" Acknowledgment Letter NONE File Loc.
(If none, please indicate so)

Name of Researcher T. Wesley McCoy, Staff Geologist


Date Research Conducted October 25, 1999

* copy needed

mm

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000


CO. CLERK, BELL CO., TX

PARTITION DEED

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

THAT WHEREAS, GEORGE T. HUBBARD, of Bell County, Texas, and SUSANNE H. BOND, of Victoria County, Texas, are the sole and joint owners of undivided interests of certain lands lying and being situated in Bell County, Texas, such lands being owned by them by virtue of a Deed from Belle Tyler Hubbard, also known as Belle T. Hubbard, said Deed being of record in the Deed Records of Bell County, Texas;

and, WHEREAS, it is desired by the above named parties to make a partition of the referenced lands:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That in order to effectuate such intention and desire, and in consideration of the execution of this deed conveying the land as hereinafter described and for the purpose of making the above described partition of said land, all of which is owned by the above named parties:

FIRST:

I, GEORGE T. HUBBARD, have GRANTED, BARGAINED, SOLD and CONVEYED and by these presents do GRANT, BARGAIN, SELL and CONVEY unto the said SUSANNE H. BOND, all of my right, title and interests, in and to that portion of said lands situated in Bell County, Texas, lying North of the Nolan Creek and North of the left bank of the said creek as it naturally flows.

SAVE, EXCEPT and RESERVED in favor of the said GEORGE T. HUBBARD, his heirs and assigns, one-half of all oil, gas and other minerals in, on and under the said land.

TO HAVE AND TO HOLD all of my right, title, interest and ownership in and to the above described land and premises, together with all and singular the rights, improvements and appurtenances to the same belonging, incident or appertaining unto the said SUSANNE H. BOND, her heirs and assigns forever.

AND, I, GEORGE T. HUBBARD, do hereby bind myself, my heirs, executors and administrators, to WARRANT AND FOREVER DEFEND the above conveyed interests of the above described and conveyed land unto the said SUSANNE H. BOND, her heirs and assigns, against the claim or claims of any and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

SECOND:

I, SUSANNE H. BOND, have GRANTED, BARGAINED, SOLD and CONVEYED and by these presents do GRANT, BARGAIN, SELL and CONVEY unto the said GEORGE T. HUBBARD, all of my right, title and interests, in and to that portion of said lands situated in Bell County, Texas, lying South of Nolan Creek and South of the right bank of the said creek as it naturally flows.

SAVE, EXCEPT and RESERVED in favor of the said SUSANNE H. BOND, her heirs and assigns, one-half of all oil, gas and other minerals in, on and under the said land.

TO HAVE AND TO HOLD all of my right, title, interest and ownership in and to the above described land and premises, together with all and singular the rights, improvements and appurtenances to the same belonging, incident or appertaining unto the said GEORGE T. HUBBARD, his heirs and assigns forever.

AND, I, SUSANNE H. BOND, do hereby bind myself, my heirs, executors and administrators, to WARRANT AND FOREVER DEFEND the above conveyed interests of the above described and conveyed land unto the said GEORGE T. HUBBARD, his heirs and assigns, against the claim or claims of any and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this the 1st day of October, 1979.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

Vada Sutton
CO. CLERK, BELL CO., TX

George T. Hubbard

GEORGE T. HUBBARD

Susanne H. Bond

SUSANNE H. BOND

THE STATE OF TEXAS §

COUNTY OF BELL §

BEFORE ME, the undersigned authority, on this day personally appeared GEORGE T. HUBBARD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 4 day of Oct, 1979.

Ed Eberhardt
Notary Public in and for
Bell County, Texas

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

BEFORE ME, the undersigned authority, on this day personally appeared SUSANNE H. BOND, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of October, 1979.

Robert L. Wells
Notary Public in and for
Victoria County, Texas

FILED FOR RECORD THIS 19 DAY OF OCTOBER 1979, AT SA
MRS. RUBY MCKEE, COUNTY CLERK OF BELL COUNTY by _____ DEPUTY

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

Vada Sutton
CO. CLERK, BELL CO., TX

Securities

EXHIBIT 1

Description of Property

Closed Landfill Inventory Central Texas Council of Governments

Site Identification

County Bell
Permitted Site Number P2213

Location and Boundary

COG Confidence Level 75%
Latitude 31.0819 N
Longitude 97.6516 W
Narrative Location Description 30' southwest of the intersection of Lookout Ridge and Edward Drive
Boundary Description See Deed
Basic Land Units Tract 022000, Block 2002

Land Use

Ownership Information

Current Property Owner(s) Waste Management of Texas
Current Owner(s) Address 1320 Greenway Drive; Suite 1000; Irving, TX 75038
Dates of Ownership Unknown
Land Unit 17.15 acres

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation Unknown
Enforcement History Unknown
Types of Waste Disposed Not a landfill, but a permitted transfer station

Reference Attachments

Survey Field Notes July 1989
Frank Martin Engineers, Inc. Field Notes Jan. 1992
Deed Record April 1995
Surveyed Landfills—Digital Information July 1997
Surveyed Landfills—Digital Information July 1997
Status of Landfill Research Form Oct. 1999
Landfill and Area Maps

ATTACHMENT 7
LEGAL DESCRIPTION

FRANK MARTIN ENGINEERS, INC.

CONSULTING ENGINEERS - SURVEYORS - PLANNERS

P. O. BOX 2031 • TEMPLE, TEXAS 76503

(817) 778-8235

Field note description of a 12.183 acre tract of land out of the J. M. Roberts Survey, Abstract No. 723, and the W. E. Hall Survey, Abstract No. 1086, both in Bell County, Texas, and being out of that certain tract of land described in a deed to PAT HARVEY KERN, of record in Volume 814, Page 232 of the Deed Records of Bell County, Texas.

Beginning at a 1/2" iron pin found in the west margin of Lookout Ridge Boulevard, being the southeast corner of that certain 2.760 acre tract described in a deed JOE CAROTHERS CONSTRUCTION, ET AL, of record in Volume 2137, Page 699 of the Deed Records of Bell County, Texas, and being the most easterly northeast corner of this tract;

Thence with the west margin of said road with a curve to the left, with a radius of 1701.52 feet, a central angle of 06 deg 29 min 20 sec, and a length of 192.70 feet to a 3/8" iron pin found, being a point of tangency;

Thence continuing with the west margin of said boulevard, S 15 deg 55 min 07 sec W, a distance of 126.51 feet to a 3/8" iron pin found, being a point of curvature;

Thence continuing with the west margin of said boulevard with a curve to the left, with a radius of 1074.30 feet, a central angle of 03 deg 56 min 03 sec, and a length of 73.77 feet to a 3/8" iron pin found, being the southeast corner of this tract;

Thence S 50 deg 57 min 45 sec W, a distance of 724.81 feet to a 3/8" iron pin found in the east margin of Clark Drive, being the southwest corner of this tract;

Thence with the east margin of said drive, N 07 deg 31 min 15 sec W, a distance of 139.57 feet to a 2" iron pipe found, and N 01 deg 08 min 10 sec W, at a distance of 82.00 feet to a 1/2" iron pin found in the north margin of Clore Road, continuing in all a distance of 238.68 feet to a 1" iron pipe found, being the southeast corner of that certain 5.913 acre tract described in a deed to the CITY OF HARKER HEIGHTS, of record in Volume 1859, Page 304 of the Deed Records of Bell County, Texas, and being a corner of this tract;

Thence with the east line of said 5.913 acre tract, N 15 deg 03 min 35 sec E, a distance of 463.59 feet to a "X" in concrete found, being the northeast corner of said 5.913 acre tract, and being a corner of this tract;

Thence N 26 deg 38 min 35 sec E, a distance of 575.03 feet to a 1/2" iron pin set, being the northwest corner of this tract;

Thence S 67 deg 28 min 03 sec E, a distance of 345.51 feet to a 1/2" iron pin found in the west line of said 2.760 acre tract, and being the most northerly northeast corner of this tract;

Thence with the west line of said 2.760 acre tract, S 22 deg 31 min 57 sec W, a distance of 320.45 feet to a 1/2" iron pin found, being the southwest corner of said 2.760 acre tract, and being a corner of this tract;

Thence with the south line of said 2.760 acre tract, S 58 deg 15 min 27 sec E, a distance of 149.33 feet to the place of beginning, containing in all 12.183 acres of land.

State of Texas)
) Know all men by these presents,
County of Bell)

That I, Frank G. Martin Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I did cause to be surveyed on the ground the tract of land described above and the description is true and correct. There are no discrepancies, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way with regards to said survey, except as shown hereon. This property has access to a public road.

January 21, 1992

Frank G. Martin Jr.

Frank G. Martin Jr.
R. P. L. S. No. 2856



FIELD NOTES for a tract of land in Bell County, Texas, part of the J.M. Roberts Survey, Abstract No. 723, and the William E. Hall Survey, Abstract No. 1086, and the land herein described being all of those certain tracts of land described as Tract I, Tract II, and Tract III in a Deed of Trust to A.G. Cummings, Trustee, being of record in Volume 2133, Page 618, Deed of Trust Records of Bell County, Texas.

BEGINNING at an iron rod in the south margin of Edwards Drive, for the northwest corner of said Tract III, for the northwest corner of this.

THENCE S. 58° 14' 08" E., 156.80 feet with the south margin of Edwards Drive to an iron rod in the west margin of Lookout Ridge Boulevard, for the northeast corner of this.

THENCE S. 22° 48' 05" W., 1427.09 feet with the west margin of Lookout Ridge Boulevard to an iron rod for the southeast corner of this.

THENCE N. 58° 15' 27" W., 150.00 feet to an iron rod for the southwest corner of said Tract III, for the southwest corner of this.

THENCE N. 22° 31' 57" E., 1428.22 feet to the PLACE OF BEGINNING containing 4.964 Acres of land.

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS, that I, GALE E. MITCHELL, Registered Public Surveyor, do hereby
COUNTY OF BELL § certify that I did cause to be surveyed on the ground the above described tract of land, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, MY hand and seal, this the 12th day of July, 1989,
A. D.



Gale E. Mitchell
GALE E. MITCHELL
Registered Public Surveyor
No. 1602

Surveyed Landfills - Digital Information

(please fill out as completely as possible)

Date: 7/15/97 Your name: JW Dudik

Name of County: Bell Name of City: Temple Harker Heights

Permit # 2213A1 Are There Curves? (YES) / NO)

Starting Coordinates (x,y): 2089461.4 524034.8

Gap Calculated in MapDraw: 8.33 Acreage Calculated in MapDraw: 12.18

Acreage Given in Information Package: 12.183

Have These Files Been Saved On Network File Directory? (YES) / NO)

Name of MapDraw Map File / Text File (.map/.txt)? df 2213A1

Arc/Info COGO

Date: _____ Your name: _____

Was This Site Digitized? (YES / NO)

Error of Closure Calculated in COGO: 8.33

Acreage Value Calculated in COGO: 12.204

Has Topology Been Built for the Coverage (YES / NO)

What State Plane Zone is This County in? _____

Name of .E00 file? _____

Has This File Been Saved On Network File Directory? (YES / NO)

2 streets - adjacent

Comments:

Surveyed Landfills - Digital Information
(please fill out as completely as possible)

Date: 7/15/97 Your name: JL Dudek

Name of County: Bell Name of City: Harker Heights

Permit # 2213A2 Are There Curves? (YES / NO)

Starting Coordinates (x,y): 2839461.4 / 524834.8

Gap Calculated in MapDraw: 0.006 Acreage Calculated in MapDraw: 4.96

Acreage Given in Information Package: 4.964

Have These Files Been Saved On Network File Directory? (YES / NO)

Name of MapDraw Map File / Text File (.map/.txt)? ~~4.964~~ lf 2213A2

Arc/Info COGO

Date: _____ Your name: _____

Was This Site Digitized? (YES / NO)

Error of Closure Calculated in COGO: 0.101

Acreage Value Calculated in COGO: 4.967

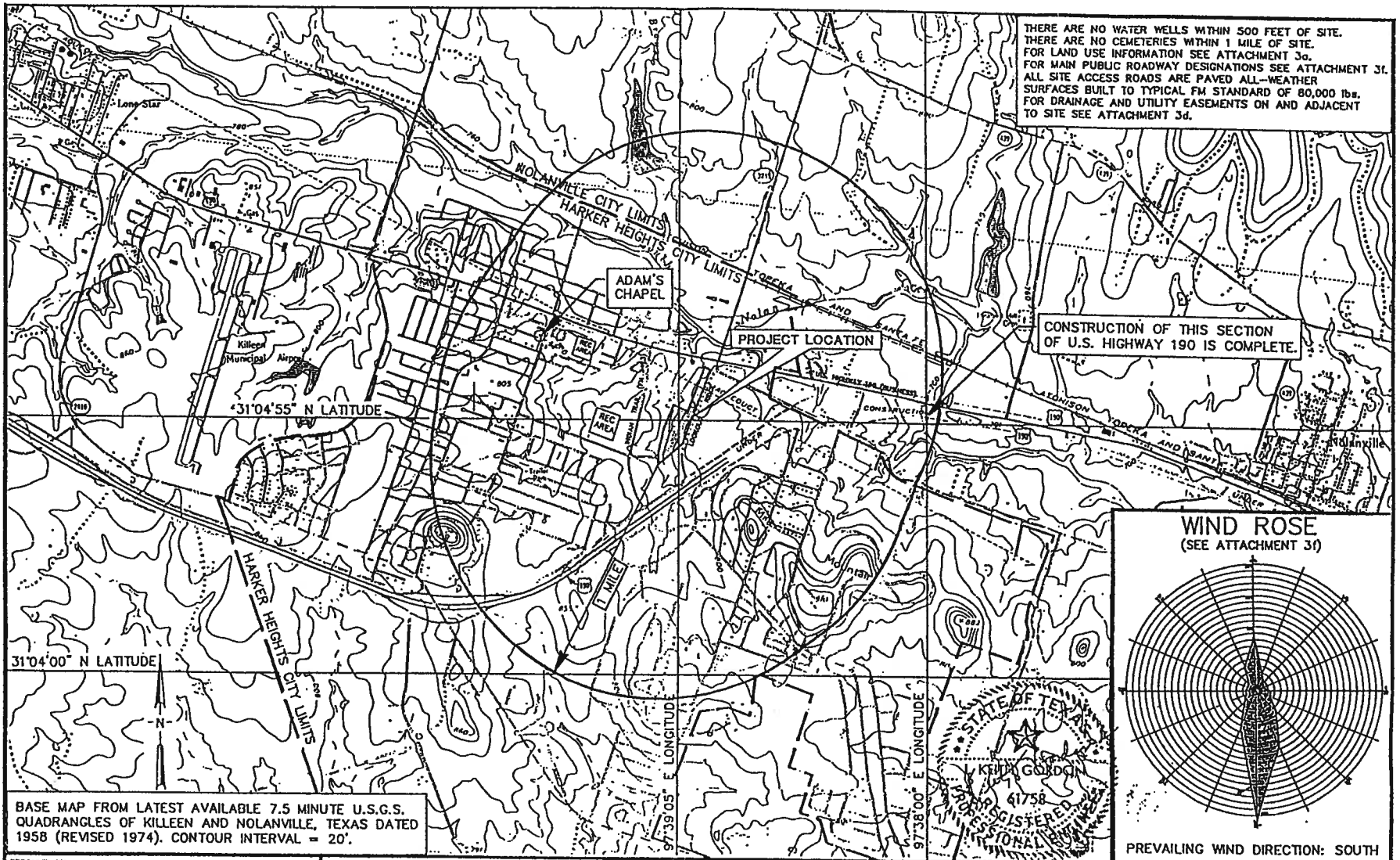
Has Topology Been Built for the Coverage (YES / NO)

What State Plane Zone is This County in? _____

Name of .E00 file? _____

Has This File Been Saved On Network File Directory? (YES / NO)

Comments:



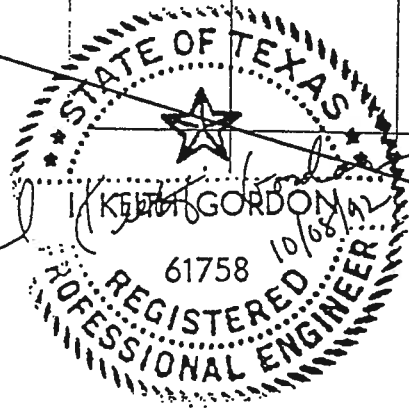
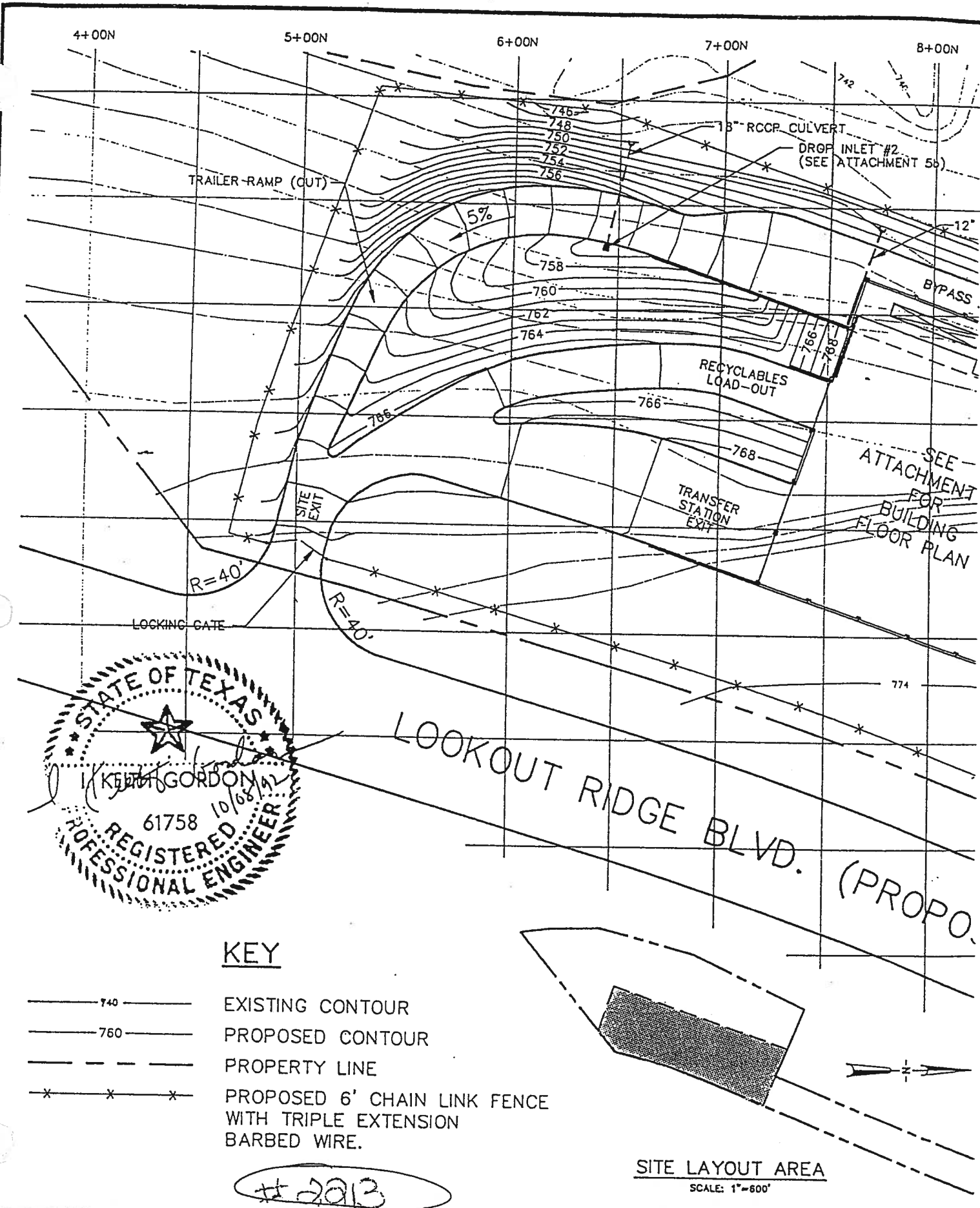
PREPARED BY
Wehran EnviroTech
 CH2M HILL
 aldrige engineering office

PREPARED FOR
**HARKER HEIGHTS TRANSFER STATION
 AND RECYCLING FACILITY**
 HARKER HEIGHTS, TEXAS



AREA MAP

SEJ
 9/03/92
 90302-32



KEY

- 740 — EXISTING CONTOUR
- 760 — PROPOSED CONTOUR
- - - - - PROPERTY LINE
- * * * * * PROPOSED 6' CHAIN LINK FENCE WITH TRIPLE EXTENSION BARBED WIRE.

#2213

SITE LAYOUT AREA
SCALE: 1"=60'

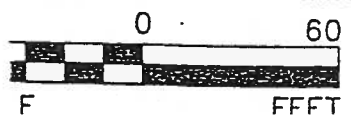
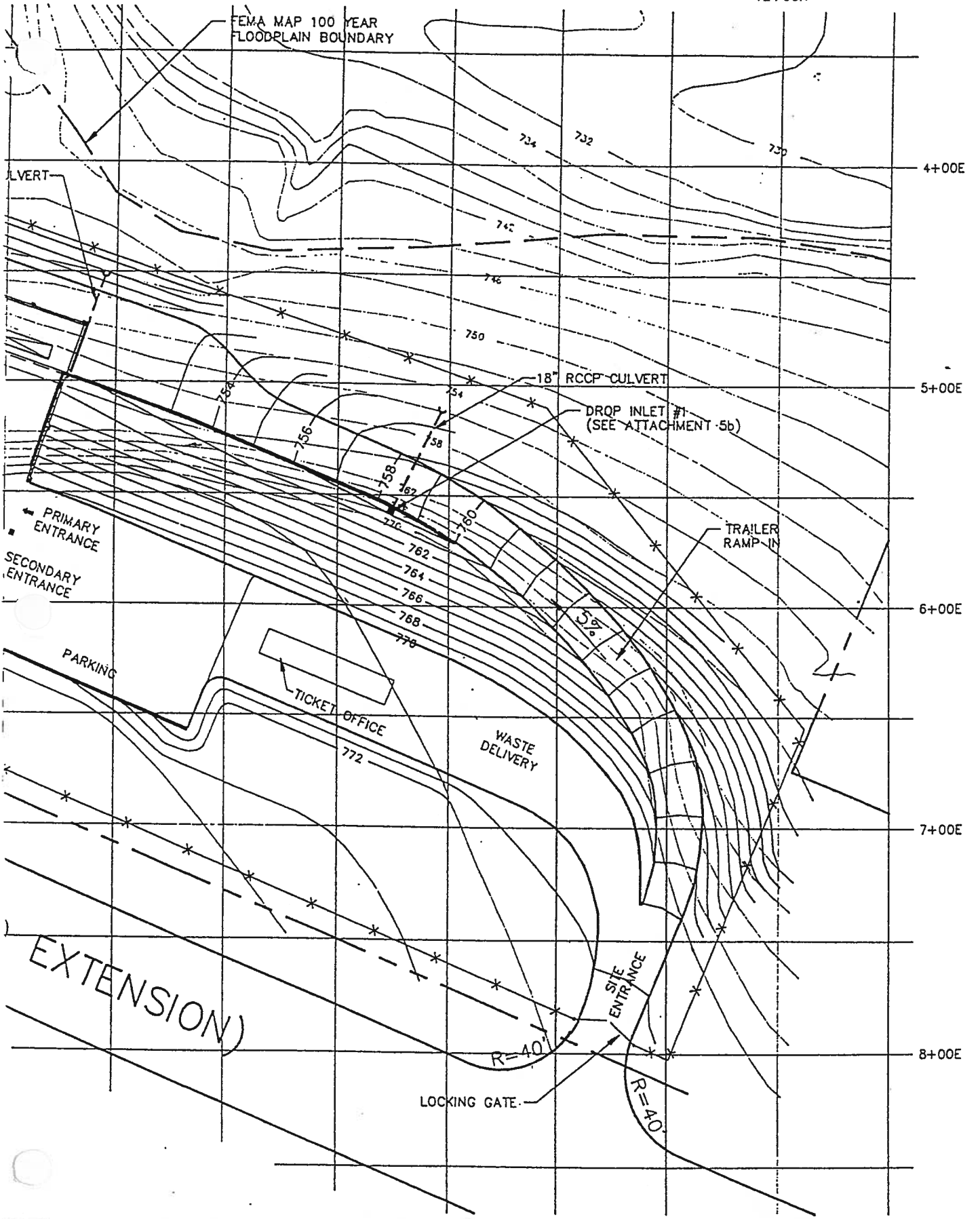
9+00N

10+00N

11+00N

12+00N

FEMA MAP 100 YEAR FLOODPLAIN BOUNDARY



ATTACHMENT 5a
SITE LAYOUT

KJK
9/3/92
00700 00

DEDICATION

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That Centex Waste Management, being the sole owner of that certain 17.194 acres of land described in Exhibit "A", attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as Centex Waste Management Development, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made a part hereon, and approved by the City Council of the City of Harker Heights, Bell County, Texas, and Centex Waste Management, does hereby adopt said Centex Waste Management Development, as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and does hereby dedicate to the City of Harker Heights, all streets, avenues, roads, drives, alleys and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings the same to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Bell County, Texas.

The utility easements shown on said plat are dedicated to the City of Harker Heights for installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed or maintained.

WITNESSES the execution hereof, on this 21st day of April, 1995 A.D.

For Centex Waste Management:

David Bubert
David Bubert, Division President
and General Manager

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on this 21st day of April, 1995 A.D., by David Bubert.



Linda K. Pindle
NOTARY PUBLIC STATE OF TEXAS
Linda K. Pindle
Printed name of Notary Public
My Commission Expires: _____

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

AUG 09 2000

Vada Sutton
CO. CLERK, BELL CO., TX

Cabinet C. Slide 35c

VOL. 3315 PAGE 387

FIELD NOTES for a tract of land in Bell county, Texas, part of the J.M. Roberts Survey, Abstract No. 723, and the W.E. Hall Survey, Abstract No. 1086, and the land herein described being all of that certain 4.964 acre tract of land described in a deed from Carolyn Cromer Beauchamp to Centex Waste Management, being of record in Volume 2870, Page 405, Deed Records of Bell County, Texas, and all of that certain 12.230 acre tract described in a deed from Pat Harvey Kern and wife, Bonnie U. Kern to Centex Waste Management, being of record in Volume 3188, Page 21, Deed Records of Bell County, Texas.

BEGINNING at a $\frac{1}{2}$ " iron rod found in the south margin of Edwards Drive and the west margin of Lookout Ridge Boulevard, being the northeast corner of said 4.964 acre tract, for the northeast corner of this.

THENCE with the west margin of Lookout Ridge Boulevard, S. $22^{\circ}48'05''$ W., 1427.09 feet to a $\frac{1}{2}$ " iron rod found being the southeast corner of said 4.964 acre tract for a corner of this.

THENCE with said west margin and a curve to the left, 192.59 feet (Long Chord bears S. $19^{\circ}18'33''$ W., 192.49 feet, having a radius of 1701.52 feet) to a $\frac{3}{8}$ " iron rod found, for a corner of this.

THENCE continuing with said west margin, S. $15^{\circ}55'07''$ W., 126.51 feet to a $\frac{3}{8}$ " iron rod found, for a corner of this.

THENCE continuing with said west margin and a curve to the left, 74.19 feet (Long Chord bears S. $14^{\circ}12'04''$ W., 74.18 feet, having a radius of 1074.31 feet) to a $\frac{3}{8}$ " iron rod found being the southeast corner of said 12.230 acre tract for the southeast corner of this.

THENCE with the south line of said 12.230 acre tract, S. $5^{\circ}00'27''$ W., 729.95 feet to a $\frac{3}{8}$ " iron rod found in the east margin of Clark Drive, being the southeast corner of said 12.230 acre tract, for the southwest corner of this.

THENCE with the west line of said 12.230 acre tract and the east margin of Clark Drive, N. $07^{\circ}15'00''$ W., 139.70 feet to a 2" iron pipe found, and N. $03^{\circ}13'34''$ W., 78.68 feet to a $\frac{1}{2}$ " iron pipe found in the north margin of Clore Road, being the southeast corner of a 7.33 acre tract described in a deed to the City of Harker Heights, being of record in Volume 1859, Page 304, Deed Records of Bell County, Texas, for a corner of this.

THENCE continuing with said west line and the east line of said 7.33 acre tract, N. $00^{\circ}25'46''$ W., 159.78 feet to a 1" iron pipe found, and N. $15^{\circ}03'05''$ E., 463.90 feet to a chiseled "X" in concrete found, being the northeast corner of said 7.33 acre tract, for a corner of this.

THENCE continuing with said west line of 12.230 acre tract, N. $26^{\circ}28'04''$ E., 582.06 feet to a $\frac{1}{2}$ " iron rod found, being the northwest corner of said 12.230 acre tract, or the most westerly northwest corner of this.

THENCE with the north line of said 12.230 acre tract S. $67^{\circ}28'03''$ E., 345.51 feet to a $\frac{1}{2}$ " iron rod found in the west line of said 4.964 acre tract being the northeast corner of said 12.230 acre tract, for an ell corner of this.

THENCE with the west line of said 4.964 acre tract, N. $22^{\circ}31'57''$ E., 1107.77 feet, to a $\frac{1}{2}$ " iron rod found in the south margin of Edwards Drive, being the northwest corner of said 4.964 acre tract, for the most northerly northwest corner of this.

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THENCE with said south margin, S. 58°14'08" E., 156.80 feet to the PLACE OF BEGINNING, containing 17.194 acres of land.

The bearings for the above description are based on the west margin of Lookout Ridge Boulevard as per deed of said 4.964 acre tract, being of record in Volume 2870, Page 405, Deed Records of Bell County, Texas.

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS, That I, Gale E. Mitchell, Registered Professional Land Surveyor, do hereby certify
COUNTY OF BELL § that I did cause to be surveyed on the ground the above described tract of land and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, My hand and seal, this the 20th day of April, 1995, A.D.



Gale E. Mitchell
Registered Professional
Land Surveyor No. 1602



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A. Cutters