



FACSIMILE

Texas General Land Office • Jerry Patterson • Commissioner

DOCKET: WM-65
NO.

Date: 5/2/04

To: Jill Caverly

From: Hal Croft

Company: NRS

Sender's Fax No.: _____

Fax No.: 301 415-5500

Sender's Phone No.: _____

Phone No.: _____

Pages: _____

Re: Falls Cit. Tx Site

Notes:

Attached is the letter and docs sent on 5.13 and just returned to me today.
If you need anything else, please call.
Thanks Hal

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512-463-5001 • 1-800-998-4GLO

Doc Rec'd 7/15/04
NRS

TEXAS



GENERAL LAND OFFICE

JERRY PATTERSON, COMMISSIONER

May 13, 2004

WM-65

Jill Caverly
USNRS
Mail Stop T8A33
Washington, DC 20055

RE: Fall City Site

Dear Ms. Caverly:

Per your request this morning, I have enclosed a copy of a plat map of the Fall City Tailing Site, a map of the area, and the DOL mandated deed restrictions. We have been attempting to gain full authorization to sell this tract for several years; so needless to say, any help you could be in expediting this final approval would be appreciated.

Should you have questions or need to contact me, I can be reached at 512.463.5281 or by e-mail at hal.croft@glo.state.tx.us. My fax number is 512.463.5098. Thank you for your help.

Sincerely,

A handwritten signature in cursive script that reads "Hal Croft".

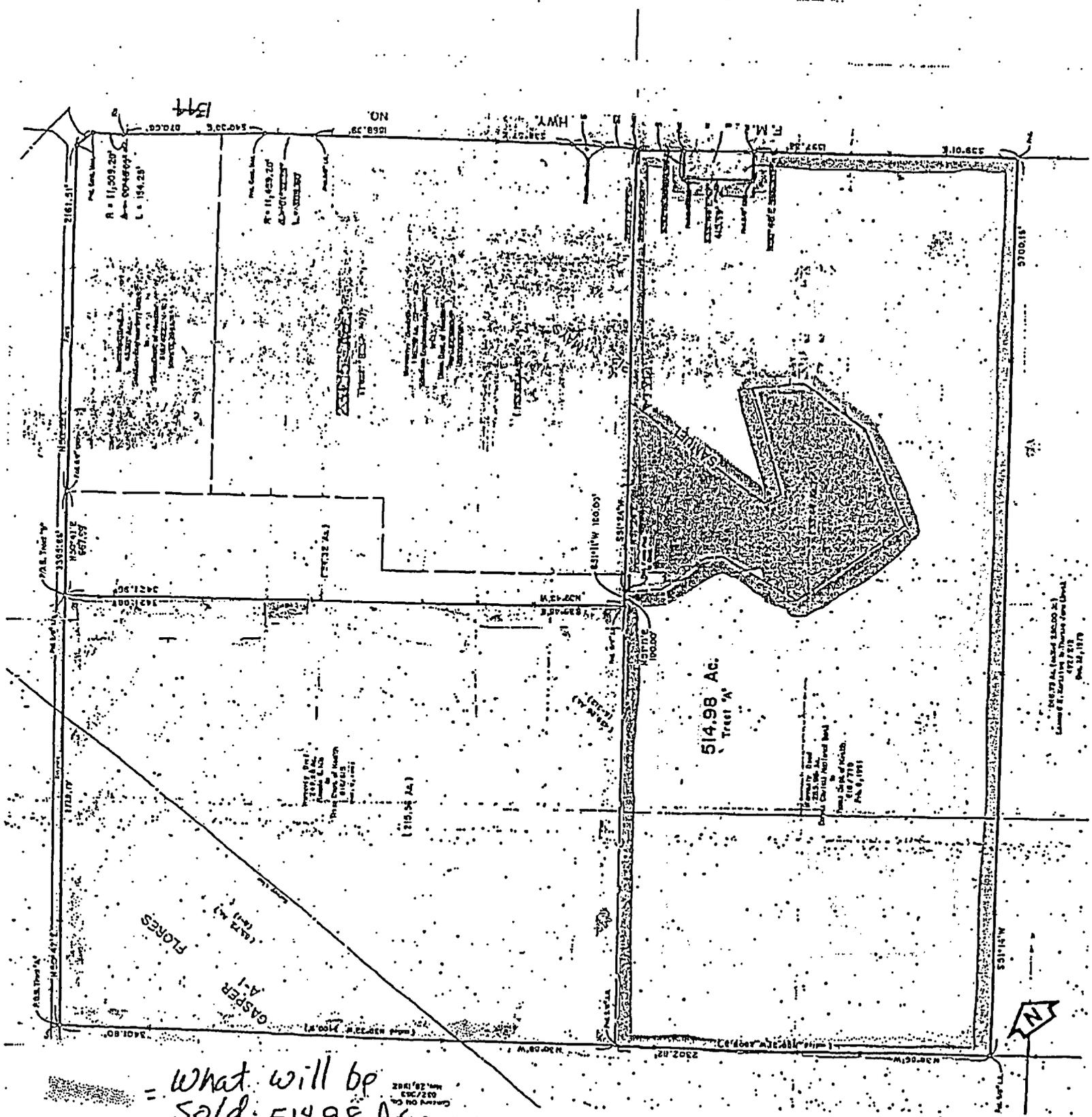
Hal Croft
Manager of Real Estate Evaluations
Asset Management Division

Stephen F. Austin Building • 1700 North Congress Avenue • Austin, Texas 78701-1495

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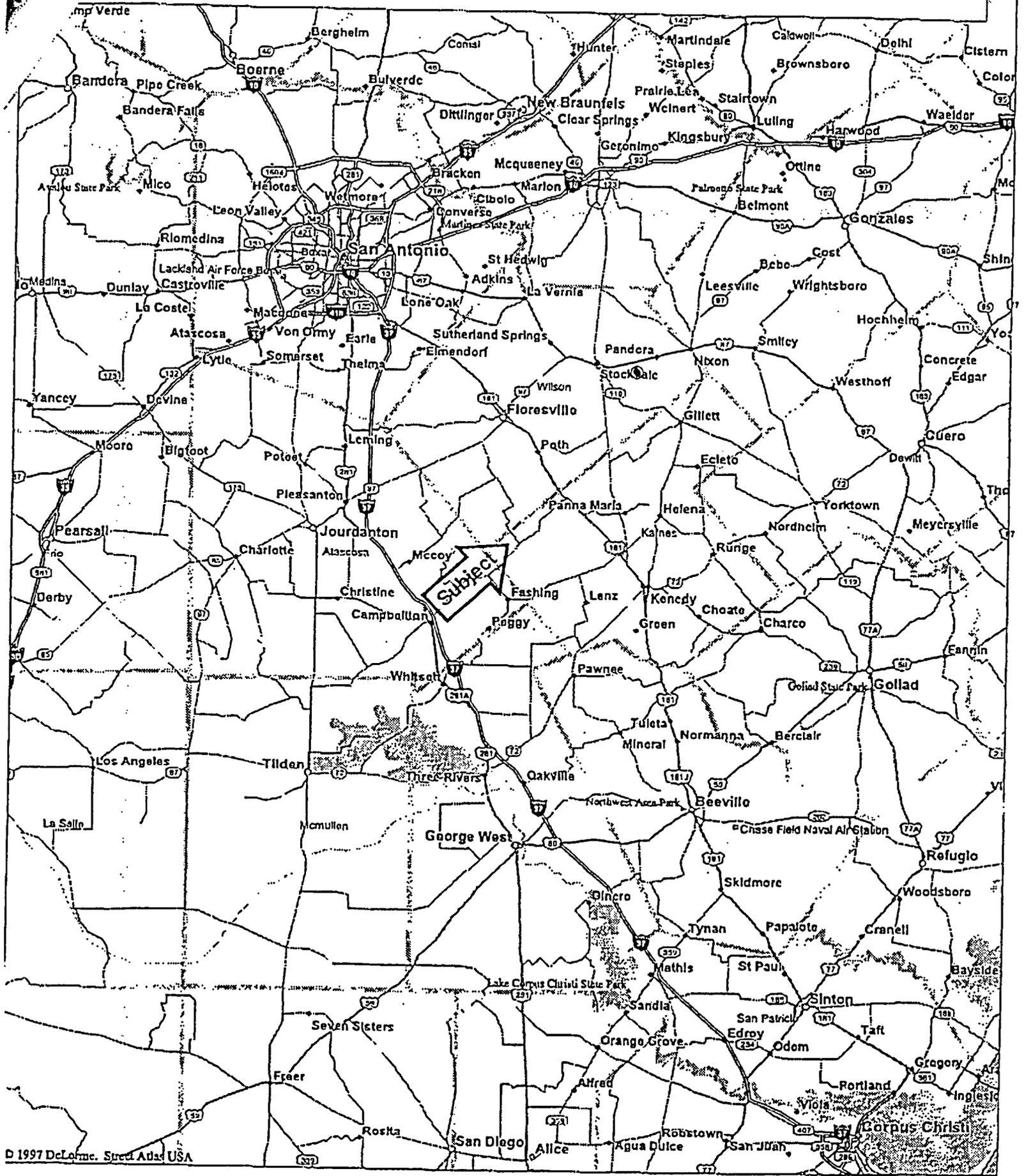


= What will be sold; 514.98 Ac

= DOE Cell, Not to be sold.

SKETCH OF WHOLE PROPERTY

LOCATION MAP



The following restrictions should be placed in the deed of each parcel of Falls City, Texas UMTRCA land that is sold.

Special Limiting Conditions

The Grantee covenants to hold harmless the Grantor and the Department of Energy for any liability associated with disruption of any public purpose ventures on the property conveyed by this deed, the disruption of any improvement on said property made by the Grantee, its successors and assigns, and any temporary or permanent limitations to the use of the property, should the Grantor and the Department of Energy be required to perform additional surface remedial activities on the property by this deed.

The Grantee covenants (i) to comply with the applicable provisions of UMTRCA, 42 U.S.C. sec. 7901 et seq., as amended; (ii) not to use ground water in near surface aquifers from the site for any purpose, and not to construct wells or any means of exposing ground water to the surface unless prior written approval for such use is given by the Grantor and the U.S. Department of Energy; however, this provision (ii) would not apply to aquifers located below the Dilworth formation; (iii) that any sale or transfer of the property described in this deed shall have prior written approval from the Grantor and the U.S. Department of Energy, and that any deed or other document created for such sale or transfer and any subsequent sale or transfer will include information stating that the property was once used as a uranium milling site and all other information regarding the extent of residual radioactive materials removed from the property as required by Section 104(d) of the Uranium Mill Tailings, 42 U.S.C. sec 7014(d), and as set forth in the annotation attached hereto; (iv) not to perform construction and/or excavation or soil removal of any kind on the property without permission from the Grantor and the U.S. Department of Energy unless prior written approval of construction plans (e.g., facilities type and location), is given by the Grantor and the U.S. Department of Energy; (v) no human habitation structures shall be constructed on the property; and (vi) that its use of the property shall not adversely impact ground water quality, nor interfere in any way with ground water remediation under UMTRCA activities.

Grantee shall provide the Grantor and the U.S. Department of Energy free and unlimited ingress and egress to the property, which is the subject matter of this sale, in order to perform any necessary monitoring, well sampling, drilling of wells, or any other necessary surface and/or subsurface work as required to implement UMTRCA, 42 U.S.C. sec 7901, et seq.

These covenants are made in favor and to the benefit of Grantor and the U.S. Department of Energy. They shall run with the land and be binding upon the Grantee and its successors and assigns, and shall be enforceable by the Grantor and its successors and assigns.