

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Martin A. Hubert, *Commissioner*
Glenn Shankle, *Executive Director*



MSD 27

MSD 022
↑
Cert

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 6, 2007

Mr. Greg Rogers
Guida, Slavich & Flores
750 North Saint Paul Street, Suite 200
Dallas, TX 75201

Re: Certification of Municipal Setting Designation Application (MSD) for ACME Brick Company, Fort Worth, TX

Dear Mr. Rogers:

Enclosed is the MSD Certification for your site. You can use this certification as the basis to avail of the groundwater assessment and remediation flexibility offered in accordance with Texas Health and Safety Code §361.808, consistent with the site-specific circumstances.

If I can be of any further assistance, please contact me at 512/239-5872 or via e-mail (mfrew@tceq.state.tx.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Frew".

Mike Frew, P.G.
Environmental Cleanup Section II
Remediation Division

MF/ts

Enclosure

Texas Commission on Environmental Quality



Municipal Setting Designation Certificate 022

As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Glenn Shankle, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for the ACME Brick Company, 2725, 2727, 2736 and 2801 through 2937 7th Street; 2809, 2909 and 2917 6th Street; 2813 through 2925 Crockett Street; 2824 and 2830 Morton Street, Fort Worth, Texas, the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit in Exhibit "B" provided pursuant to Texas Health and Safety Code §361.804(b)(2)(D). This certificate shall continue in effect so long as the institutional control required by Texas Health and Safety Code §361.8065 is maintained in effect.

Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on Environmental Quality environmental remediation regulation, as modified by Texas Health and Safety Code §361.808.

EXECUTED this 19 day of January, 2007.

Handwritten signature of Glenn Shankle in black ink.

Glenn Shankle
Executive Director
Texas Commission on Environmental Quality

STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 19th day of January, 2007, personally appeared Glenn Shankle, Executive Director of the Texas Commission on Environmental Quality, known to me to be the person whose name is subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19th day of January, 2007.

Handwritten signature of Connie S. Lucas in black ink.

Notary Public in and for the State of Texas

A circular notary seal for Connie S. Lucas, Notary Public, State of Texas. The seal contains the text "NOTARY PUBLIC STATE OF TEXAS" around the perimeter and "CONNIE S. LUCAS" in the center.
CONNIE S. LUCAS
Notary Public, State of Texas
My Commission Expires
JANUARY 30, 2010

Notary without Bond

'A'

A tract of land situated in the J.M.C. Lynch Survey, Abstract No. 955 and the Wm. Bussell 320 Acre Survey, said surveys being in the City of Ft. Worth, Tarrant County, Texas, and said tract of land being more particularly described as follows, to-wit:

Beginning at the northwest corner of Lot 17, Block 9 of Van Zandt's Park Addition, an Addition to the City of Ft. Worth, Tarrant County, Texas, recorded in Volume 204A, Page 81, of the Plat Records of Tarrant County, Texas;

- L1
Thence North 00 degrees, 51 minutes, 28 seconds East, passing at 16.00 feet the southwest corner of Lot 4 of said Block 9, and continuing North 0 degrees, 51 minutes, 28 seconds East along the westerly line of said Lot 4, a distance of 130.00 feet for a total distance of 146.00 feet to the northwest corner of said Lot 4, said corner being in the southerly right-of-way line of Crockett Street (a 60' right-of-way);
- L2
Thence North 89 degrees, 08 minutes, 32 seconds West, along said southerly right-of-way line, and the northerly line of Lots 1 through 3 in said Block 9, a distance of 150.00 feet to the northwest corner of Lot 1 in said Block 9;
- L3
Thence North 00 degrees, 51 minutes, 28 seconds East, a distance of 60.00 feet to the southwest corner of Lot 1R, Block 3 of aforesaid Van Zandt's Park Addition, said corner also being the intersection of the northerly right-of-way line of said Crockett Street and the easterly right-of-way line of Norwood Street (a 60' right-of-way);
- L4
Thence North 89 degrees, 08 minutes, 32 seconds West, a distance of 60.00 feet to the southeast corner of Lot 10, Block 1 of said Van Zandt's Park Addition, said corner being at the intersection of the northerly right-of-way line of said Crockett Street and the westerly right-of-way line of said Norwood Street;
- L5
Thence North 00 degrees, 51 minutes, 28 seconds East, along the easterly line of Lot 9 and Lot 10 of said Block 1, and said westerly right-of-way line, a distance of 276.00 feet to the northeast corner of said Lot 9 and the intersection of said westerly right-of-way line and the southerly right-of-way line of West Seventh Street (a 100' right-of-way);
- L6
Thence South 89 degrees, 08 minutes, 32 seconds East, a distance of 60.00 feet to the northwest corner of Lot 1R, Block 3 of said Van Zandt's Park Addition, said corner being at the intersection of the easterly right-of-way line of said Norwood Street, and the southerly right-of-way line of said West Seventh Street;
- L7
Thence North 00 degrees, 51 minutes, 28 seconds East, a distance of 100.13 feet to the southwest corner of Lot 11, Block 11 of Van Zandt's Second Addition, an Addition to the City of Ft. Worth, Tarrant County, Texas, recorded in Volume 106, Page 118, of the Plat Records of Tarrant County, Texas, said corner being in the northerly right-of-way line of said West Seventh Street;
- L8
Thence South 89 degrees, 09 minutes, 55 seconds East, along the southerly right-of-way line of Lots 11, 12, 13, 14 and 15 of said Block 11, and said northerly right-of-way line, a distance of 249.93 feet to the southeast corner of said Lot 15;
- L9
Thence North 00 degrees, 58 minutes, 10 seconds East, along the easterly line of Lot 15 and Lot 6 of said Block 11, passing at 285.77 feet, the northeast corner of said Lot 6, a total distance of 345.77 feet to the southwest corner of Lot 16, Block 17 of said Van Zandt Second Addition, said corner being in the northerly right-of-way line of West Sixth Street (an 80' right-of-way);
- L10
Thence South 89 degrees, 09 minutes, 55 seconds East, along the southerly line of Lots 16 through 18 of said Block 17, and the northerly right-of-way line of said West Sixth Street, a distance of 150.15 feet to the southeast corner of said Lot 18;

BOUNDARY EXHIBIT
EXHIBIT A



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L11
Thence South 01 degree, 04 minutes, 46 seconds West, passing at 80.00 feet the northeast corner of Lot 2, Block 11 of said Van Zandt Second Addition, a total distance of 204.49 feet to the southeast corner of thereof, said corner being in the northerly line of a 16 foot wide alley;

L12
Thence South 89 degrees, 09 minutes, 55 seconds East, along the southerly line of Lot 1 and Lot 2 of said Block 11, and the northerly line of said alley, passing at 99.82 feet the southeast corner of said Lot 1, a total distance of 159.82 feet to the southeast corner of Lot 10, Block 10 of said Van Zandt Second Addition, said corner being in the northerly line of a 16 foot wide alley and the easterly right-of-way line of Curried Street (a 60' right-of-way);

L13
Thence South 01 degree, 10 minutes, 14 seconds West, along the easterly right-of-way line of said Currie Street, passing at 16.00 feet the the northwest corner of Lot 11 of said Block 10, and continuing along said easterly right-of-way line and the westerly line of said Lot 11, South 1 degree, 10 minutes, 14 seconds West, a total distance of 141.12 feet to the southwest corner of said Lot 11, said corner being at the intersection of the northerly right-of-way line of said West Seventh Street and the easterly right-of-way line of said Currie Street;

L14
Thence South 89 degrees, 06 minutes, 22 seconds East, along the southerly line of Lots 11 through 17 in said Block 10, and the northerly right-of-way line of said West Seventh Street, a distance of 352.14 feet to the southeast corner of Lot 17 in said Block 10;

L15
Thence North 00 degrees, 32 minutes, 49 seconds East, along the easterly line of Lot 17 and Lot 4 of said Block 10, passing at 265.70 feet, the northeast corner of said Lot 4, a total distance of 345.70 feet to the southwest corner of Lot 17, Block 16 of aforesaid Van Zandt Second Addition, said corner being in the northerly right-of-way line of aforesaid West Sixth Street;

L16
Thence South 89 degrees, 09 minutes, 55 seconds East, along the southerly line of said Lot 18, a distance of 50.01 feet to the east corner thereof;

L17
Thence South 00 degrees, 31 minutes, 39 seconds West, passing at 80.00 feet, the northeast corner of Lot 3, Block 10 of said Van Zandt Second Addition and continuing South 00 degrees, 31 minutes, 39 seconds West, along the easterly line of said Lot 3, a total distance of 204.22 feet to the southeast corner thereof, said corner being in the northerly line of a 16 foot wide alley;

L18
Thence South 89 degrees, 09 minutes, 55 seconds East, along the southerly line of Lot 1 and Lot 2 in said Block 10, and the northerly line of said alley, passing at 99.96 feet the southeast corner of said Lot 1, and passing at 159.96 feet, the southwest corner of Lot 10, Block 9 of said Van Zandt Second Addition, a total distance of 309.60 feet to the northeast corner of Lot 13 in said Block 9;

L19
Thence South 00 degrees, 15 minutes, 42 seconds West, along the easterly line of said Lot 13, a distance of 141.63 feet to the southeast corner thereof, said corner being in the northerly right-of-way line of said West Seventh Street;

L20
Thence South 89 degrees, 11 minutes, 53 seconds East, along the southerly line of Lots 14 through 19 of said Block 9, and the northerly line of said West Seventh Street, a distance of 294.07 feet;



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L21

Thence South 00 degrees, 50 minutes, 49 seconds West, passing at 100.00 feet, the northeast corner of a tract of land described in deed recorded in Volume 11895, Page 2297 of the Deed Records of Tarrant County, Texas, and continuing South 00 degrees, 50 minutes, 49 seconds West along the easterly line of said tract of land, a total distance of 275.25 feet to the southeast corner thereof, said corner being on the most westerly, northerly line of Lot 1, Block 1 of Seventh Street Station, an Addition to the City of Ft. Worth, Tarrant County, Texas, recorded in Cabinet A, Slide 4296, of the Plat Records of Tarrant County, Texas;

L22

Thence North 89 degrees, 09 minutes, 11 seconds West, along said most westerly, northerly line, and the southerly line of Lot 1, Block 1 of Brantley-Draughon College Addition, an Addition to the City of Ft. Worth, Tarrant County, Texas, recorded in Volume 388-113, Page 279, of the Plat Records of Tarrant County, Texas, a distance of 202.90 feet to the northeast corner of a tract of land described in deed recorded in Volume 12767, Page 293 of the Deed Records, Tarrant County, Texas, same being an Access Easement described in deed recorded in Volume 12318, Page 2168 of the Deed Records, of Tarrant County, Texas;

L23

Thence South 00 degrees, 50 minutes, 49 seconds West, along the easterly line of said Access Easement, a distance of 23.00 feet to the southeast corner thereof;

L24

Thence North 89 degrees, 09 minutes, 11 seconds West, along the southerly line of said Access Easement, and the northerly line of a tract of land described in deed recorded in Volume 9346, Page 1166 of the Deed Records, of Tarrant County, Texas, hereinafter called Tract A, a distance of 241.10 feet to the southwest corner of said Access Easement, being in the easterly right-of-way line of Foch Street (a 60' right-of-way);

L25

Thence South 00 degrees, 50 minutes, 49 seconds West, along the westerly line of said Tract A, and the easterly right-of-way line of said Foch Street, a distance of 78.22 feet;

L26

Thence North 89 degrees, 09 minutes, 11 seconds West, a distance of 60.20 feet to the southeast corner of Lot 1R, Block 3 of the aforementioned Van Zandt's Park Addition and the intersection of the westerly right-of-way line of said Foch Street and the northerly right-of-way line of aforementioned Crockett Street;

L27

Thence South 00 degrees, 25 minutes, 47 seconds West, along said westerly right-of-way line, a distance of 59.77 feet to the northeast corner of Lot 10, Block 8 of said Van Zandt's Park Addition and the intersection of the westerly right-of-way line of said Foch Street and the southerly right-of-way line of said Crockett Street;

L28

Thence North 89 degrees, 09 minutes, 19 seconds West, along the northerly line of Lots 8 through 10 of said Block 8, and the southerly right-of-way line of said Crockett Street, a distance of 150.26 feet to the northeast corner of Lot 7 in said Block 8;

L29

Thence South 00 degrees, 50 minutes, 41 seconds West, along the easterly line of said Lot 7, passing at 129.93 feet, the southeast corner of said Lot 7, a total distance of 145.93 feet to the northeast corner of Lot 14 in said Block 8, said corner being in the southerly line of a 16 foot wide alley;

L30

Thence North 89 degrees, 11 minutes, 03 seconds West, along the northerly line of Lots 14 through 16 in said Block 8, and the southerly line of said alley, a distance of 150.05 feet to the northeast corner of Lot 17 in said Block 8;



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L31

ence South 00 degrees, 48 minutes, 33 seconds West, along the easterly line of said Lot 17, passing at a distance of 130.11 the southeast corner thereof, being in the northerly right-of-way line of Morton Street (a60' right-of-way), and continuing South 00 degrees, 48 minutes, 33 seconds West, a total distance of 190.11 feet to a point on the southerly right-of-way line of said Morton Street;

L32

Thence North 89 degrees, 08 minutes, 32 seconds West, along the southerly right-of-way line of said Morton Street, a distance of 149.83 feet;

L33

Thence North 00 degrees, 47 minutes, 29 East, passing at a distance of 60.00 feet, the southwest corner of Lot 19 in said Block 8, thence continuing North 00 degrees, 47 minutes, 29 seconds East along the westerly line of said Lot 19, a total distance of 190.07 feet to the northwest corner thereof, being in the southerly line of a 16 foot wide alley;

L34

Thence North 89 degrees, 08 minutes, 32 seconds West, along the northerly line of Lot 20 in said Block 8, and the northerly line of Lots 11 through 17, Block 9 of aforementioned Van Zandt's Park Addition, and the southerly line of said alley, a distance of 460.29 to the Point of Beginning of said tract of land, containing 20.552 acres within the metes recited, save and except the following described tract of land;

Commencing at the southeast corner of Lot 13, Block 9 of Van Zandt Second Addition, an Addition to the City of Ft. Worth, Tarrant County, Texas, recorded in Volume 106, Page 118, of the Plat Records of Tarrant County, Texas;

L20

Thence South 89 degrees, 11 minutes, 53 seconds East, along the southerly line of Lots 14 through 19 of said Block 9, and the northerly line of said West Seventh Street, a distance of 294.07 feet;

L21

Thence South 00 degrees, 50 minutes, 49 seconds West, passing at 100.00 feet, the northeast corner of a tract of land described ad recorded in Volume 11895, Page 2297 of the Deed Records of Tarrant County, Texas, and continuing South 00 degrees, minutes, 49 seconds West along the easterly line of said tract of land, a total distance of 275.25 feet to the southeast corner thereof, said corner being on the most westerly, northerly line of Lot 1, Block 1 of Seventh Street Station, an Addition to the City of Ft. Worth, Tarrant County, Texas, recorded in Cabinet A, Slide 4296, of the Plat Records of Tarrant County, Texas;

L22 Extended

Thence North 89 degrees, 09 minutes, 11 seconds West, along said most westerly, northerly line, and the southerly line of Lot 1, Block 1 of Brantley-Draughon College Addition, an Addition to the City of Ft. Worth, Tarrant County, Texas, recorded in Volume 388-113, Page 279, of the Plat Records of Tarrant County, Texas, a distance of 329.00 feet to the Point of Beginning of said tract of land, and being the southeast corner of said Lot 1, Block 1 of Brantley-Draughon College Addition, and on the northerly line of a tract of land described in deed recorded in Volume 12767, Page 293 of the Deed Records, Tarrant County, Texas, same being an Access Easement described in deed recorded in Volume 12318, Page 2168 of the Deed Records, of Tarrant County, Texas;

Thence along the northerly line of said Access Easement the following:

L38

North 89 degrees, 09 minutes, 11 seconds West a distance of 57.00 feet;

L39

South 00 degrees, 50 minutes, 49 seconds West a distance of 3.00 feet;



Precise

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L40

North 89 degrees, 09 minutes, 11 seconds West a distance of 58.00 feet to the northwest corner of said Access Easement and southwest corner of a Tract of land described in deed recorded in Volume 1635, Page 371 of the Deed Records, of Tarrant County, Texas hereinafter called Tract B, said corner being in the easterly right-of-way line of Foch Street (a 60' right-of-way);

L35

Thence North 00 degrees, 50 minutes, 49 seconds East, along the westerly right-of-way line of said Foch Street, a distance of 178.00 feet to the northwest corner of said Tract B and the intersection of the southerly right-of-way line of West Seventh Street (a 100' right-of-way) and the easterly right-of-way line of said Foch Street;

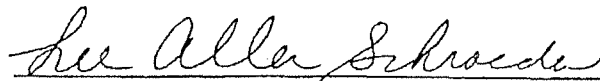
L36

Thence South 89 degrees, 09 minutes, 11 seconds East, along the northerly line of said Tract B and the southerly right-of-way line of said West Seventh Street, a distance of 115.00 feet to the northeast corner of said Tract B and the northwest corner of said Lot 1, Block 1 of Brantley-Draughon College Addition;

L37

Thence South 00 degrees, 50 minutes, 49 seconds West, along the westerly line of said Lot 1, Block 1 of Brantley-Draughon College Addition, and the easterly line of said Tract B, a distance of 175.00 feet to the Point of Beginning of said tract of land, containing 0.466 acres within the metes recited, for a net acreage of 20.086 acres within the metes recited.

This document prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.


LEE ALLEN SCHROEDER
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5546



PRECISE LAND SURVEYING, INC.

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Miscellaneous Notes

- A. Legal Description shown hereon, derived from survey dated April 13, 2006 by Daniel A. Smith, RPLS 4546 for Precise Land Surveying, Inc.
- B. Legal Description shown hereon, prepared under authority of TAC-663.21, Texas Board of Professional Land Surveyors, Professional and Technical Standards, Descriptions for Political Subdivisions.
- C. Copyright Precise Land Surveying, Inc. All rights reserved. No part of this drawing may be reproduced by photocopying, recording or any other means, or stored, processed or transmitted in or by any means without the written permission of the undersigned hereon.
- D. Latitude and longitude shown hereon scaled from U.S.G.S. Topographic Map

FIELD BOUNDARY EXHIBIT
EXHIBIT B



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'B'



Municipal Setting Designation Application Form

TCEQ Office Use Only:	Date Add. Info Req. / /
Application No:	Date Add. Info Rec'd / /
Date Received: 10/16/06	Date Certified: / /
	Date Denied: / /

Reset Form

Municipal Setting Designation Eligibility Criteria:

Is the proposed municipal setting designation (MSD) within the corporate limits of a municipality authorized by statute that has a population of at least 20,000? (See most recent <i>place</i> population estimate reported at http://txsdc.utsa.edu/tpepp/txpopest.php .)	<input checked="" type="radio"/> Yes	<input type="radio"/> No ¹
Is the proposed municipal setting designation (MSD) within the extraterritorial jurisdiction of a municipality authorized by statute that has a population of at least 20,000? (See most recent <i>place</i> population estimate reported at http://txsdc.utsa.edu/tpepp/txpopest.php .)	<input checked="" type="radio"/> Yes	<input type="radio"/> No ¹
Municipality name: City of Fort Worth	Population: 619,037	
Is there a public drinking water supply system that satisfies the requirements of THSC Chapter 341 and supplies or is capable of supplying drinking water to: a) the proposed MSD property, and b) each property within 0.5 miles beyond the boundary of the proposed MSD?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ¹
¹ If No, the eligibility criteria are not met. Do not submit an application.		

Applicant and Fee Payment Information:

Contact Person: <input checked="" type="radio"/> Mr. <input type="radio"/> Ms. Greg Rogers		
Title: Attorney for Acme Brick Company (Applicant)		
Company: Acme Brick Company		
Mailing Address: 750 N. St. Paul Street, Suite 200		
City: Dallas	State: TX	Zip: 75201
Telephone: 214 / 692-8385	Telefax: 214 / 692-6610	
E-mail Address: [REDACTED]		
Is the required \$1,000 application being submitted to TCEQ in advance or at the same time the MSD application is being submitted to TCEQ?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ²
² Do not submit application.		

MSD Property Address:

Street Address: Numerous street addresses. See supplemental materials.	
City: Fort Worth	Zip: 76107
County: Tarrant	Acres: Approximately 20 A ⁺
If multiple properties provide an attachment to the application providing the above information for each property.	

Notice Information:

<u>On</u> or <u>before</u> the date of submission of the application to TCEQ, was notice provided to:		
a) each municipality:		
1) where the proposed MSD is located?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁴
2) with a border within 0.5 miles beyond the proposed MSD boundaries?	<input type="radio"/> Yes	<input type="radio"/> No ³ <input checked="" type="radio"/> NA ⁴
3) that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ³ <input type="radio"/> NA ⁴
b) each current owner of a private well registered with the commission and located within five miles beyond the proposed MSD boundaries?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ³ <input type="radio"/> NA ⁴

c) each retail public utility, as defined by Texas Water Code, §13.002, that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input type="radio"/> Yes	<input type="radio"/> No ³	<input checked="" type="radio"/> NA ⁴
³ Do not submit application.			
⁴ NA only when no such municipality, private well owner, or retail public utility exists			

MSD Information:

List all existing TCEQ and US Environmental Protection Agency registration, permit, identification numbers (e.g., SWR No., VCP No., LPST ID No., UIC Registration No., PWS ID. No.), if any, that apply to the groundwater contamination situation within the proposed MSD boundary. State "none" if none applicable. <i>VCP 1939, VCP 1959</i>		
Is the proposed designated groundwater contaminated in excess of an applicable potable water ⁵ use standard (i.e., 30 TAC 350, ^{GW} GW _{ing})?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁶
Was the groundwater contamination previously reported to the TCEQ? (To support implementation of HB 3030, 78 th Legislature.)	<input checked="" type="radio"/> Yes, when? 06 / 15 / 06	<input type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses the designated groundwater as source water?	<input type="radio"/> Yes ⁶	<input checked="" type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses a deeper groundwater zone for the source water that is not properly sealed off from the designated groundwater?	<input type="radio"/> Yes ⁶	<input checked="" type="radio"/> No
Is the applicant aware of any non-consumptive use of the groundwater or other human health or ecological exposure pathways that are of concern? If yes, specify:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has each municipality and retail public utility identified in §361.8065 provided firm commitment to adopt an ordinance or resolution in support of the application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁶
Is a copy of the ordinance or restrictive covenant that restricts consumptive use and appropriately restricts other uses of and contact with the designated groundwater, and any required resolutions provided with this application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
⁵ "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)].		
⁶ Do not submit an application.		

I affirmatively state that (place an X in all applicable blanks):

- The MSD eligibility criteria of THSC §361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC §361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the proposed MSD property is included with the application.
- Notice was provided in accordance with THSC §361.805.
- A copy of an ordinance or restrictive covenant and any required resolutions are provided in this application or will be provided before the executive director certifies this application.

Applicant Signature: *Judy Hunter* Date: 10 24 06

Before me *Christena D. Flannery*, the undersigned authority, on this day personally appeared *Judy Hunter* and signed this Municipal Setting Designation Application.
Name of Notary: *Christena D. Flannery*
Name of Applicant: *Judy Hunter*

Sworn, subscribed and signed before me in the County of Tarrant, State of TX, on the 24 day of October, this month of October, 2006,

