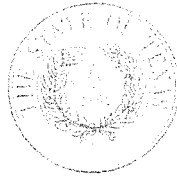


Baddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 16, 2008

Ms. Monica Olason, Environmental Compliance Officer
QuikTrip Corporation
4705 South 129th East Avenue
Tulsa, Oklahoma 74134-7008

RE: Municipal Setting Designation (MSD) Certificate for QT-916, 1700 South McDonald Street, McKinney, TX; MSD No. 64

Dear Ms. Olason:

Enclosed is the Municipal Setting Designation 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 do not hesitate to contact me at 512/239-5872 or via e-mail (mfrew@tceq.state.tx.us).

Sincerely,

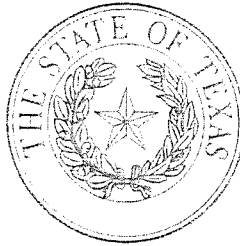
A handwritten signature in black ink, appearing to read "Mike Frew".

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

MF/sr

Enclosure

Texas Commission on Environmental Quality



Municipal Setting Designation

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 MSD No. 64, in the City of McKinney, 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 24 day of June, 2008

A handwritten signature in cursive script, appearing to read "G. Shankle", written over a horizontal line.

Glenn Shankle
Executive Director
Texas Commission on Environmental Quality

EXHIBIT A

LEGAL DESCRIPTION : SUBJECT PROPERTY

BEING a 7.156 acre tract of land situated in the Samuel McFarland Survey, Abstract No. 558, in the City of McKinney, Collin County, Texas, being a part of a called 0.853 acre tract of land conveyed to Aeon Corporation, according to the deed thereof recorded in Volume 1342, Page 853 of the Deed Records of Collin County, Texas, and being all of a 5275 square feet of land conveyed to Aeon Corporation, according to the deed thereof recorded in Volume 2914, Page 480 of the Deed Records of Collin County, Texas, and being a called 5.24 acre tract of land conveyed to Ferrelgas, L.P., a Delaware limited partnership, according to the deed thereof recorded in Volume 5746, Page 5725 of the Deed Records of Collin County, Texas, and being all of Lot 1, Block A of Tellus Addition, an addition to the City of McKinney, Collin County, Texas, and being a 0.648 acre tract of land conveyed to the City of McKinney, Collin County, Texas, whose deed is not evidenced, and being more particularly described as follows:

BEGINNING at an "X" cut in concrete in the southwest intersection of Eldorado Parkway (a 120 foot right of way) and McDonald Street (State Highway No. 5, State Highway 121, a variable width right-of-way) for the northeast corner of said Aeon Corporation tract;

THENCE, South 12 degrees 54 minutes 02 seconds West (called South 13 degrees 14 minutes 00 seconds West), departing the south line of said Eldorado Parkway and with the east line of said McDonald Street and the west line of said Aeon Corporation tract a distance of 112.04 feet (called 111.33 feet) pass the southwest corner of said Aeon Corporation tract, continuing with said bearing, a distance of 198.74 feet pass a 1/2 inch iron rod found for the northwest corner of the above mentioned Lot 1, Block A, continuing with said bearing, a distance of 222.65 feet (called 220.00 feet), for a total distance of 533.42 feet to a 1/2 inch iron rod set for the southeast corner of the above mentioned Lot 1, Block A, same being the northwest corner of Lot 2, Block A of the above mentioned Tellus Addition;

THENCE, South 85 degrees 05 minutes 31 West, departing said east line of said McDonald Street and with the common line of said Lots 1 and 2, Block A, a distance of 156.78 feet (called 155.29 feet) pass a metal fence post found for the southwest corner of said Lot 1, Block A, same being an interior corner of the above mentioned Ferrelgas, L.P. tract, continuing with said bearing and the common line of said Lot 2, Block A, and Ferrell tract, a distance of 337.62 feet pass the northwest corner of said Lot 2, Block A, same being the most northerly northeast corner of Lot 3, Block A of said Tellus Addition, from which, a 1/2 inch iron rod found bears North 66 degrees 18 minutes 40 seconds West, a distance of 0.98 feet, and continuing with said bearing, a total distance of 673.36 feet to a 1/2 inch iron rod found for the southwest corner of said Ferrelgas tract and the northwest corner of said Lot 3, Block A, same being in the west line of a tract of land conveyed to W.R. Bogard, according to the deed thereof recorded in Volume 318, Page 248 of the Deed Records of Collin County, Texas;

THENCE, North 21 degrees 31 minutes 08 seconds East, with the common line of said Ferrelgas and W.R. Bogard tracts, a distance of 463.17 feet pass a 1/2 inch iron rod found for the most westerly northwest corner of said Ferrelgas tract, same being the southwest corner of the above mentioned City of McKinney tract, continuing with said bearing and west line of said W.R. Bogard tract, a total distance of 480.51 feet to a 1/2 inch iron rod set in the above mentioned south line of Eldorado Parkway for the northwest corner of said City of McKinney tract, same being the northeast corner of said Bogard tract;

THENCE, North 69 degrees 45 minutes 12 seconds East, with said south line of Eldorado Parkway, a distance of 199.38 feet to a 1/2 inch iron rod set for the beginning of a tangent curve to the right, having a central angle of 20 degrees 00 minutes 07 seconds, a radius of 990.00 feet and a chord that bears North 79 degrees 45' 08" East, a distance of 343.86 feet.

THENCE, continuing with said curve to the right, an arc distance of 345.61 feet to 1/2 inch iron rod set for corner;


THENCE, North 89 degrees 45 minutes 12 seconds East, continuing with said south line of Eldorado Parkway, a distance of 88.30 feet to the POINT OF BEGINNING.

Said property contains a computed are of 311,711 square feet or 7.156 acres of land, more or less.

VARIABLE WIDTH CROSS ACCESS EASEMENT - LOT 1									
CURVE	START	END	ANGLE	CHORD	CHORD BEARING	CHORD	CHORD BEARING	CHORD	CHORD BEARING
C1	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C2	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C3	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C4	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C5	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C6	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C7	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C8	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C9	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C10	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W

2nd FIVE LANE AND MUTUAL ACCESS EASEMENT									
CURVE	START	END	ANGLE	CHORD	CHORD BEARING	CHORD	CHORD BEARING	CHORD	CHORD BEARING
C1	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C2	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C3	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C4	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C5	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C6	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C7	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C8	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C9	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W
C10	171.21	171.21	90.00	0.00	N00°00'00"W	0.00	N00°00'00"W	0.00	N00°00'00"W

- Setting a portion of this addition by means and bounds to a subdivision of the city boundaries and after the end of survey subject to the same and with the same or better and better survey.
- BASES OF RECORDS - The bearings and distances are based on the Town of Dallas Addition, an addition to the City of McKinney, Collin County, Texas, recorded in the Public Records of Dallas County, Texas, Book 100, Page 100.
- According to the Public Engineering Management Agency's Record Map No. 100,000, the 100-foot wide easement is shown as a 100-foot wide easement.
- The subject property (one large section) is shown as a 100-foot wide easement.
- The "1" easement shown as "shown determined to be outside 100-foot easement."
- The "2" easement shown as "shown determined to be outside 100-foot easement with average depth of less than 1 foot and with drainage easement from 100-foot wide easement as shown on Record Map No. 100,000."
- "1" AND "2" easements are shown as the North-East and South-East corner of the 100-foot easement shown on the Record Map No. 100,000. The subject property (one large section) is shown as a 100-foot wide easement.
- The purpose of this deed is to combine the existing 100-foot wide easement (Lots 1, 2 and 3) and create the easement easement for the easement of 100 feet.
- All lots comply with the minimum easement as set forth within the zoning district.
- The property shown and described herein is subject to restrictive covenants, easements and other interests as shown on the Record Map No. 100,000 and as shown on the Record Map No. 100,000.

Scale 1" = 50'

 Amick & Taylor

**MINOR RETAIL
 LOTS 1, 2 AND 3, BLOCK A
 QT 916 ADDITION**

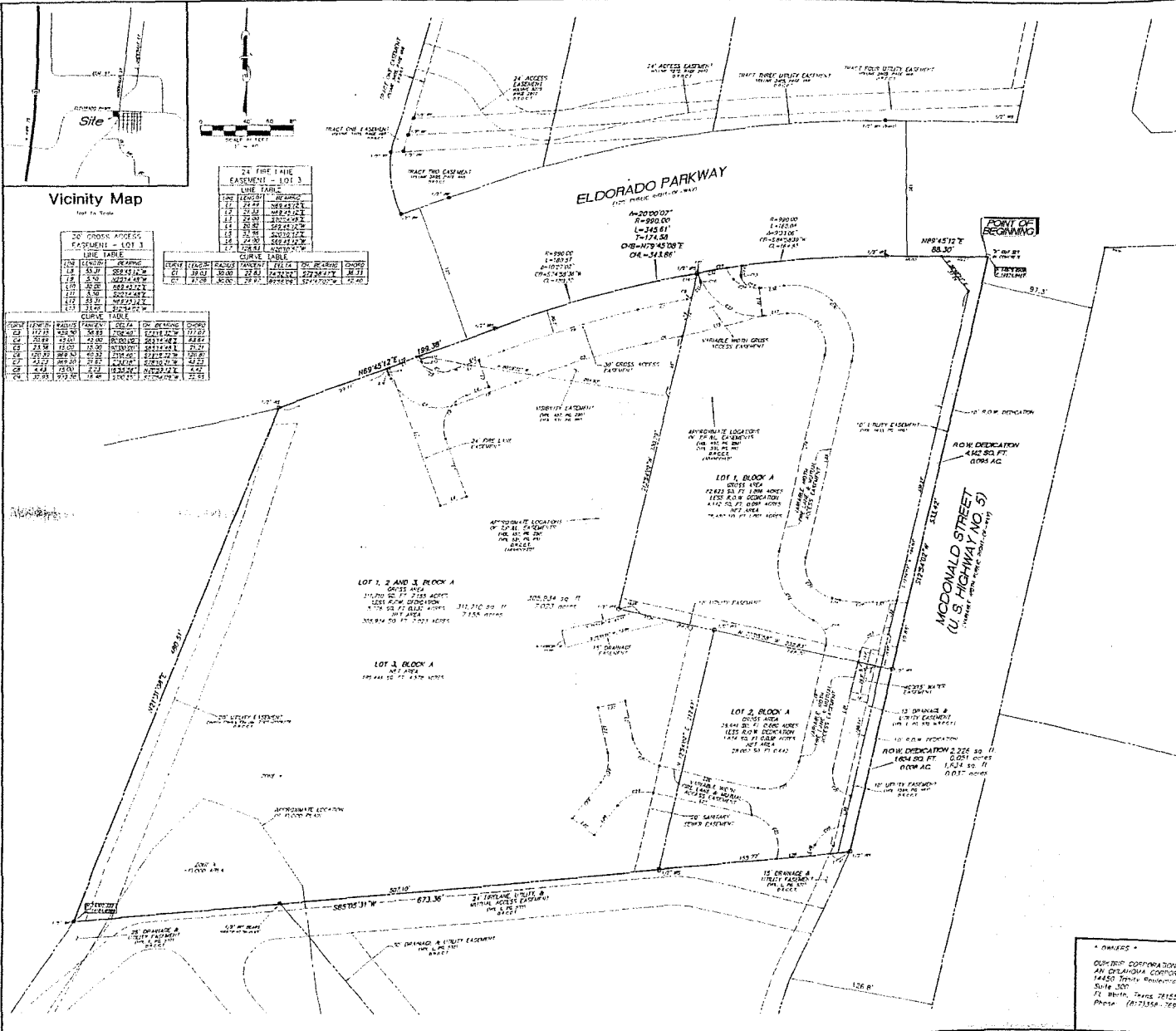
AN ADDITION TO THE CITY OF MCKINNEY, TEXAS AND BEING A REPLAT OF LOT 1, BLOCK A OF TELLUS ADDITION, AN ADDITION TO THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN PUBLIC RECORDS OF COLLIN COUNTY, TEXAS AND BEING A PORTION OF THE SHARPE WYLAND SUBDIVISION, SUBJECT TO THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS.

OWNERS
 OAKBRIAR CORPORATION
 AN OKLAHOMA CORPORATION
 14450 NORTH RICHMOND
 SUITE 300
 FORT WORTH, TEXAS 76155
 PHONE (817) 358-7888

ENGINEERING ASSOCIATES, INC.
 REGISTERED PROFESSIONAL ENGINEERS
 12000 FRENCH ROAD, SUITE 110 FORT WORTH, TEXAS 76155
 PHONE (817) 488-3322 FAX (817) 488-3322
 12000 FRENCH ROAD, SUITE 110 FORT WORTH, TEXAS 76155
 PHONE (817) 488-3322 FAX (817) 488-3322

**OT 916 ADDITION
 LOTS 1, 2 AND 3, BLOCK A
 MCKINNEY, COLLIN COUNTY, TEXAS**

DATE: 11-21-2014 SHEET NO: 1 OF 2



Vicinity Map

2nd CROSS ACCESS EASEMENT - LOT 1

CURVE	START	END	ANGLE	CHORD	CHORD BEARING
C1	171.21	171.21	90.00	0.00	N00°00'00"W
C2	171.21	171.21	90.00	0.00	N00°00'00"W
C3	171.21	171.21	90.00	0.00	N00°00'00"W
C4	171.21	171.21	90.00	0.00	N00°00'00"W
C5	171.21	171.21	90.00	0.00	N00°00'00"W
C6	171.21	171.21	90.00	0.00	N00°00'00"W
C7	171.21	171.21	90.00	0.00	N00°00'00"W
C8	171.21	171.21	90.00	0.00	N00°00'00"W
C9	171.21	171.21	90.00	0.00	N00°00'00"W
C10	171.21	171.21	90.00	0.00	N00°00'00"W

2nd FIRE LANE EASEMENT - LOT 3

CURVE	START	END	ANGLE	CHORD	CHORD BEARING
C1	171.21	171.21	90.00	0.00	N00°00'00"W
C2	171.21	171.21	90.00	0.00	N00°00'00"W
C3	171.21	171.21	90.00	0.00	N00°00'00"W
C4	171.21	171.21	90.00	0.00	N00°00'00"W
C5	171.21	171.21	90.00	0.00	N00°00'00"W
C6	171.21	171.21	90.00	0.00	N00°00'00"W
C7	171.21	171.21	90.00	0.00	N00°00'00"W
C8	171.21	171.21	90.00	0.00	N00°00'00"W
C9	171.21	171.21	90.00	0.00	N00°00'00"W
C10	171.21	171.21	90.00	0.00	N00°00'00"W

APPROXIMATE LOCATION OF 100 FT. EASEMENT FOR 100 FT. ROW

APPROXIMATE LOCATION OF 100 FT. EASEMENT FOR 100 FT. ROW

APPROXIMATE LOCATION OF 100 FT. EASEMENT FOR 100 FT. ROW

'B'

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.
TCEQ VCP No. 1896

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? 01 / /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.

Monica Olason
Applicant Signature

11/26/07
Date

Before me David L. Hagan the undersigned authority, on this day personally appeared Monica Olason and signed this Municipal Setting Designation Application.
Name of Notary
Name of Applicant



Sworn, subscribed and signed before me in the County of Tulsa, State of OK, on the 26th day of November, this month of November, 2007.

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