

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 7, 2011

Mr. Richard S. Record, Environmental Consultant
Cirrus Associates, Inc.
600 South Sherman, Suite 102
Richardson, Texas 75081

RE: Municipal Setting Designation (MSD) Certificate for TPRF/Seville, LP, 2101, 2111, 2121, 2131, 2141, and 2151 North Collins Street, Arlington, Tarrant County, Texas; MSD No. 136

Dear Mr. Record:

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) 239-2992 or via e-mail (chris.siegel@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Siegel".

Chris Siegel, Project Manager
VCP-CA Section
Remediation Division

CS/jdm

Enclosure

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTING DESIGNATION CERTIFICATE

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

I, Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for MSD No. 136, in the City of Arlington, for 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 the 9th day of February 2011

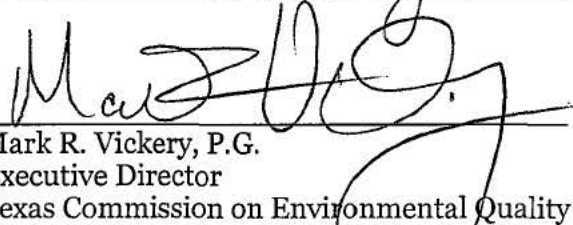

Mark R. Vickery, P.G.
Executive Director
Texas Commission on Environmental Quality

EXHIBIT "B"

Attachment to Form TCEQ-20149
Municipal Setting Designation Application Form
TPRF/SEVILLE, LP

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

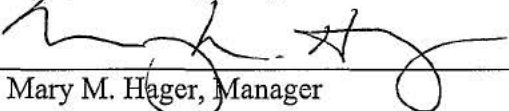
- The MSD eligibility criteria of THSC §361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC §361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the proposed 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.

TPRF/SEVILLE, LP, a Texas limited partnership

By: TPRF/Seville GP, LLC, a Delaware limited liability company, its general partner

By: Thackeray Partners, LP, a Delaware limited partnership, its manager

By: Thackeray Partners GP, LLC, a Delaware limited liability company, its

By: 
Mary M. Hager, Manager

Date: 08.27.10

Before me ANGELA PACE the undersigned authority, on this day personally appeared
Name of Notary

Mary M. Hager and signed this Municipal Setting Designation Application as Manager of Applicant TPRF/Seville, LP.

Sworn, subscribed and signed before me in the County of DAWAS, State of TEXAS
on the 27th day of AUGUST, 2010

Angela Pace

