

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 16, 2006

Mr. Richard Hale
Senior Vice President
Perry Homes a Joint Venture
9000 Gulf Freeway, 3rd Floor
Houston, TX 77234

RE: Certification of Municipal Setting Designation Application for the Perry Homes a Joint Venture MSD Property, 5914, 5930 and 6008 Maple Avenue, Dallas, TX (MSDAPP015, MSD010)

Dear Mr. Hale:

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 512/239-2268 or via e-mail (cclarke@tceq.state.tx.us).

Sincerely,

A handwritten signature in cursive script that reads "Chet Clarke".

Chet Clarke, Manager
Technical Support Section
Remediation Division

Enclosure

Texas Commission on Environmental Quality



Municipal Setting Designation Certificate 010

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 Perry Homes a Joint Venture Property, 5914, 5930, 6008 Maple Avenue, Dallas, 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 12 day of May, 2006.

A handwritten signature in black ink, appearing to read "Glenn Shankle", written over a horizontal line.

Glenn Shankle
Executive Director
Texas Commission on Environmental Quality

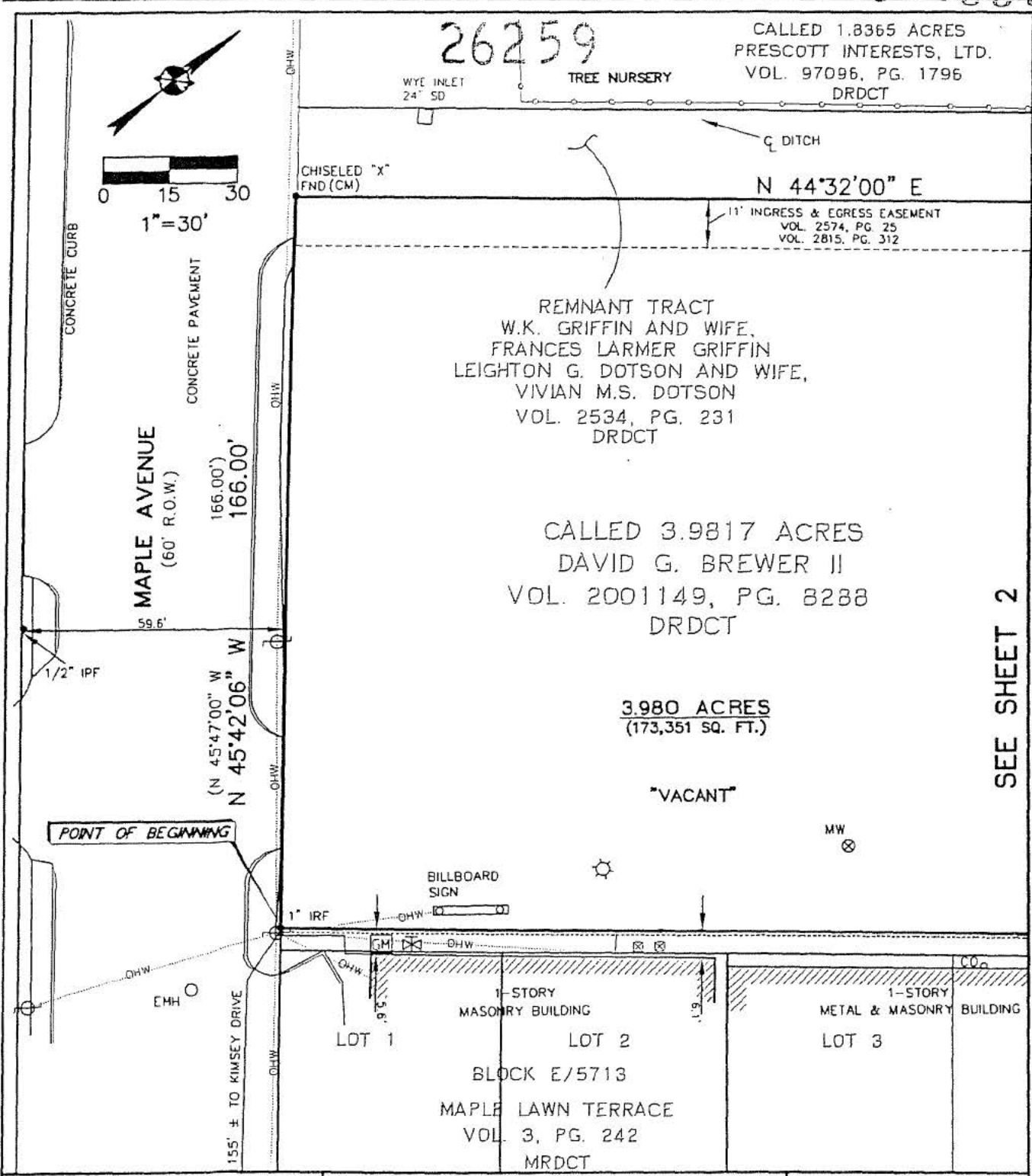
STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 12 day of MAY, 2006 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 12 day of May, 2006.

A handwritten signature in black ink, appearing to read "Lance Roman", written over a horizontal line.

Notary Public in and for the State of Texas



SEE SHEET 2

Bury+Partners
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 Dallas, Texas 75230
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ALTA/ACSM LAND-TITLE-SURVEY
 OF A 3.980 ACRE TRACT OF LAND SITUATED IN
 THE MILES BENNETT SURVEY, ABSTRACT NO. 52
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

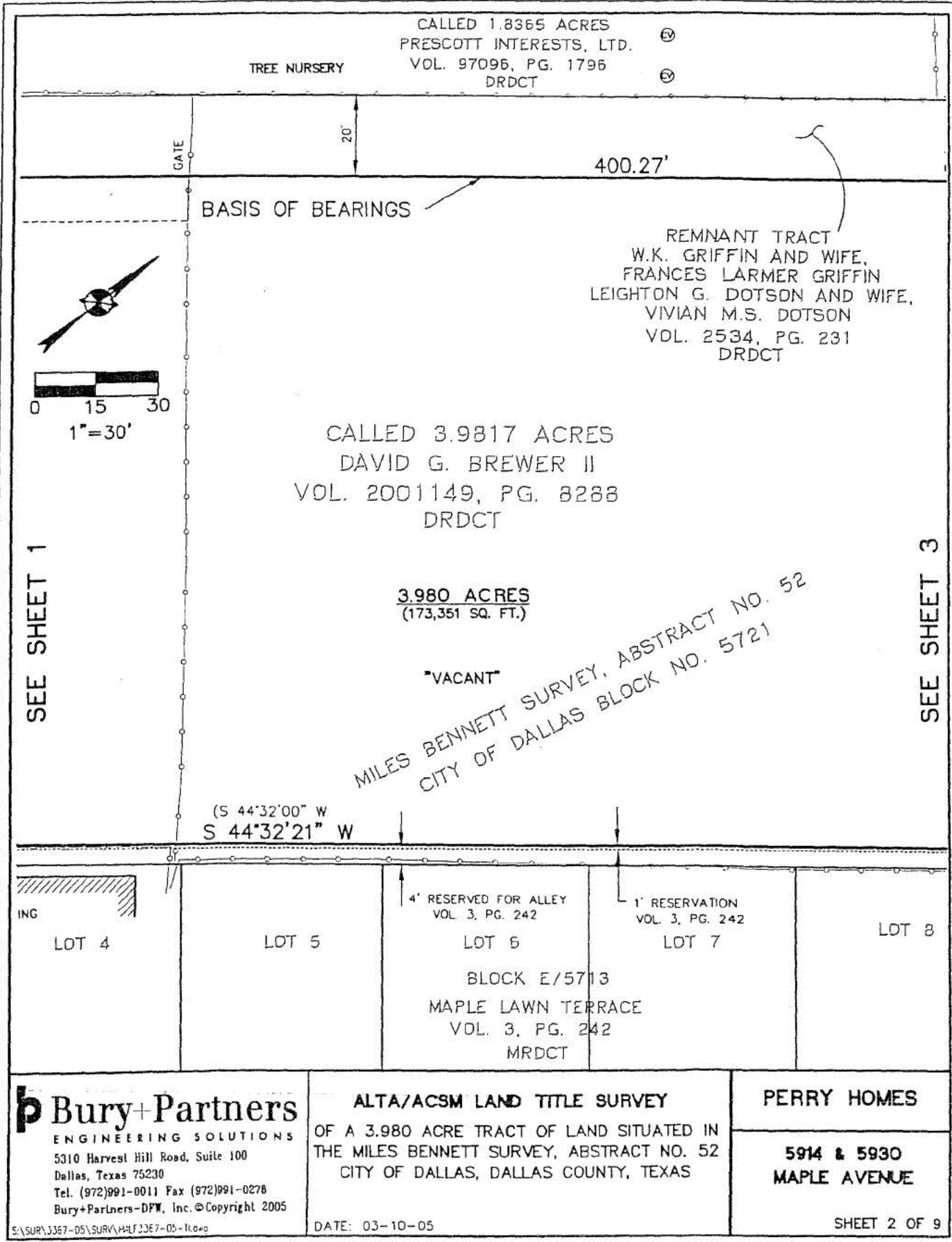
DATE: 03-10-05

PERRY HOMES

5914 & 5930
 MAPLE AVENUE

SHEET 1 OF 9

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SEE SHEET 1

SEE SHEET 3

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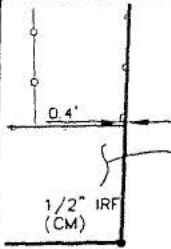
ALTA/ACSM LAND TITLE SURVEY
OF A 3.980 ACRE TRACT OF LAND SITUATED IN
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CITY OF DALLAS, DALLAS COUNTY, TEXAS
DATE: 03-10-05

PERRY HOMES
5914 & 5930
MAPLE AVENUE
SHEET 2 OF 9

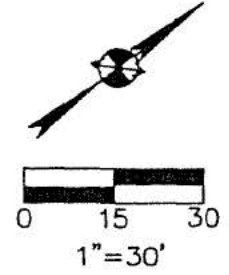
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SEE SHEET 6

26259



REMNANT TRACT
 W.K. GRIFFIN AND WIFE,
 FRANCES LARMER GRIFFIN
 LEIGHTON G. DOTSON AND WIFE,
 VIVIAN M.S. DOTSON
 VOL. 2534, PG. 231
 DRDCT



CALLED 3.9817 ACRES
 DAVID G. BREWER II
 VOL. 2001149, PG. 8288
 DRDCT

CALL
 DAY
 VOL. 20



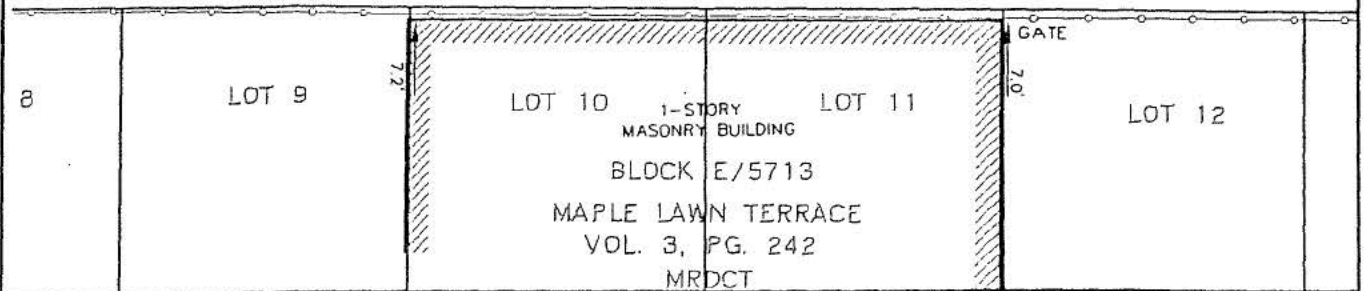
SEE SHEET 2

SEE SHEET 4

3.980 ACRES
 (173,351 sq. ft.)

"VACANT"

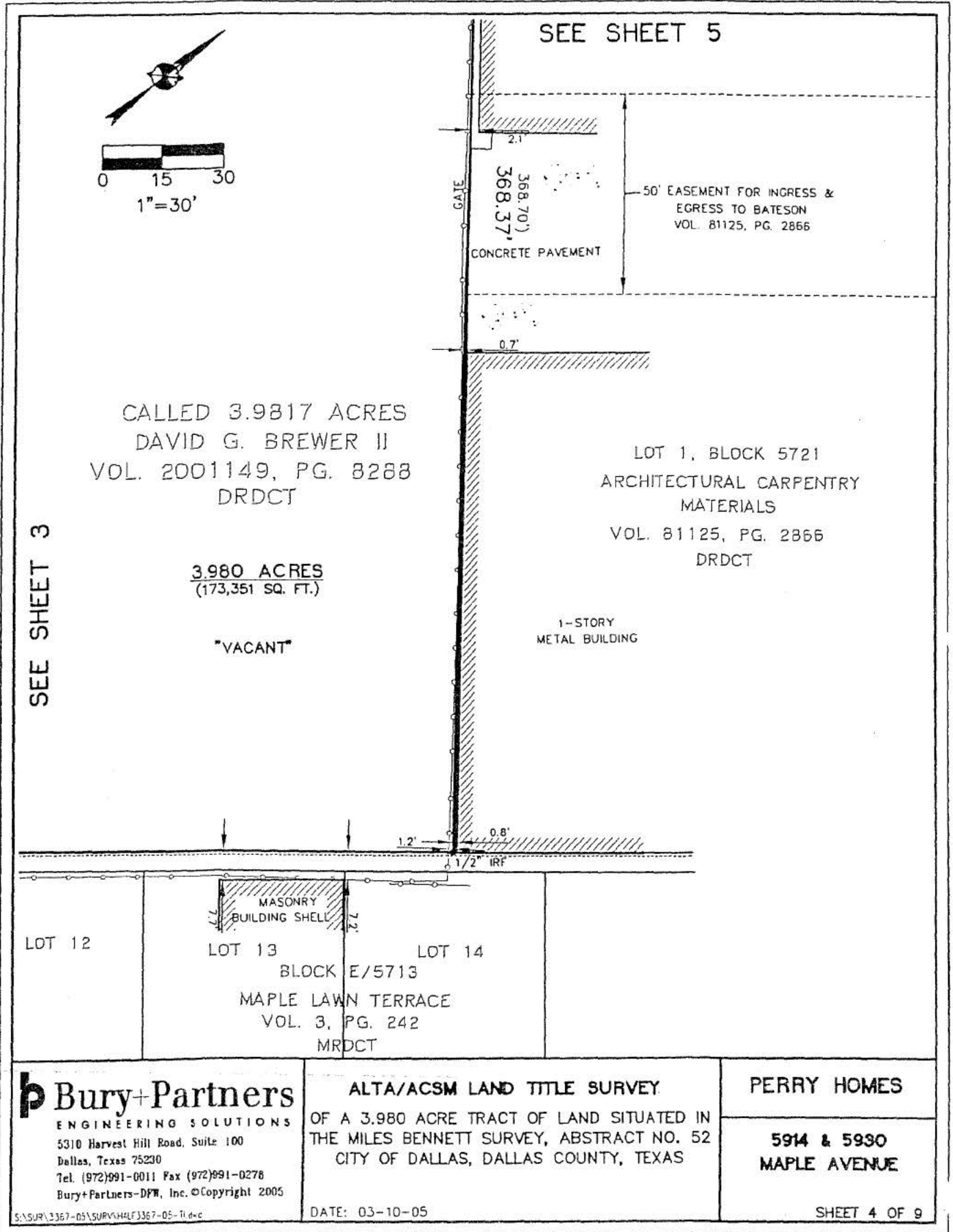
677.08')
 677.08'

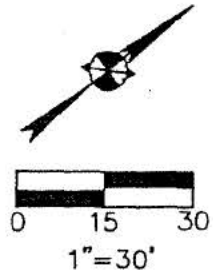
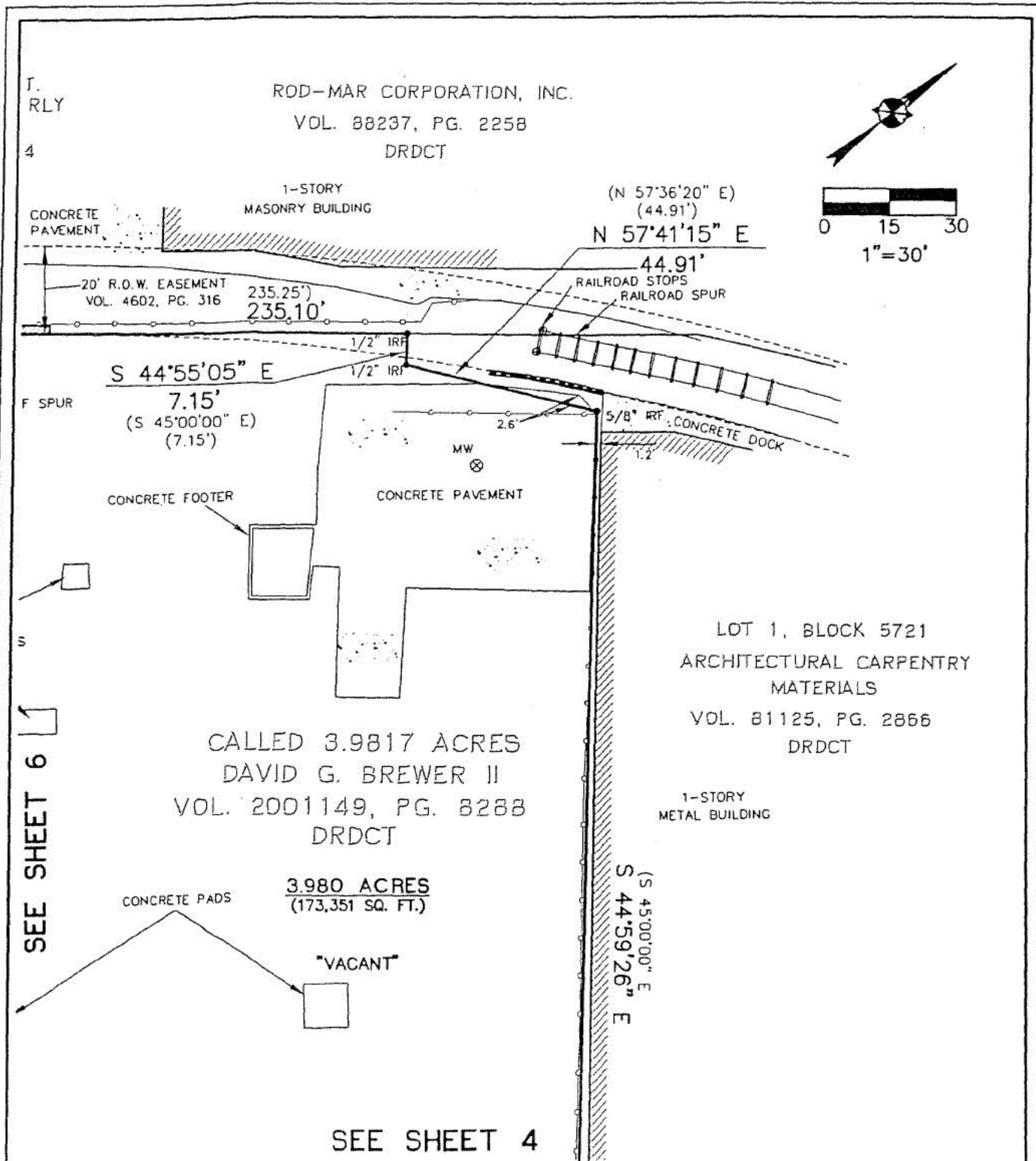


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 OF A 3.980 ACRE TRACT OF LAND SITUATED IN
 THE MILES BENNETT SURVEY, ABSTRACT NO. 52
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

PERRY HOMES
 5914 & 5930
 MAPLE AVENUE
 SHEET 3 OF 9





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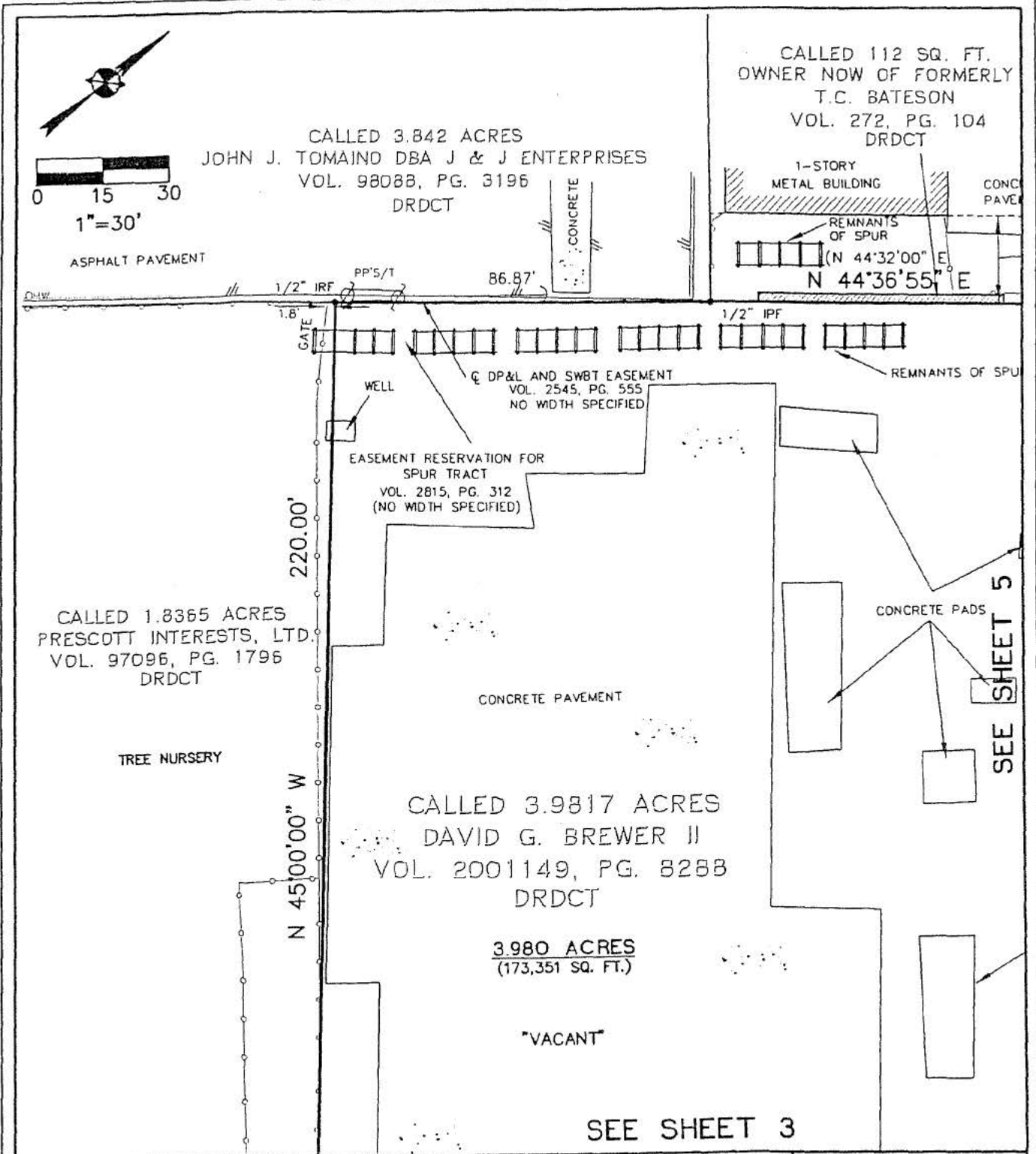
DATE: 03-10-05

PERRY HOMES

5914 & 5930
MAPLE AVENUE

SHEET 5 OF 9

511 SURV 3367-051 SURV 3367-05-11.doc



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OF A 3.980 ACRE TRACT OF LAND SITUATED IN
THE MILES BENNETT SURVEY, ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS
DATE: 03-10-05

PERRY HOMES
5914 & 5930
MAPLE AVENUE
SHEET 6 OF 9

S:\SUR\3367-05\SURV\HALF\3367-05-11.dwg

PROPERTY DESCRIPTION:

26259

BEING A 3.980 ACRE TRACT OF LAND SITUATED IN THE MILES BENNETT SURVEY, ABSTRACT NO. 52, CITY OF DALLAS BLOCK NO. 5721, DALLAS, COUNTY, TEXAS, AND BEING ALL OF THAT CALLED 3.9817 ACRE TRACT OF LAND DESCRIBED IN DEED TO DAVID G. BREWER II RECORDED IN VOLUME 2001149, PAGE 8288, DEED RECORDS OF DALLAS COUNTY, TEXAS, (DRDCT), SAID 3.980 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1-INCH IRON ROD FOUND FOR THE MOST SOUTHERLY CORNER OF SAID 3.9817 ACRE TRACT OF LAND SAME BEING THE MOST WESTERLY CORNER OF MAPLE LAWN TERRACE ADDITION, AN ADDITION TO THE CITY OF DALLAS DESCRIBED BY PLAT RECORDED IN VOLUME 3, PAGE 242, MAP RECORDS OF DALLAS COUNTY, TEXAS AND BEING IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MAPLE AVENUE, (A CALLED 60-FOOT RIGHT-OF-WAY);

THENCE NORTH 45°42'06" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 166.00 FEET TO A CHISELED "X" FOUND FOR THE WESTERLY CORNER OF SAID 3.9817 ACRE TRACT OF LAND SAME BEING THE MOST SOUTHERLY CORNER OF A 20-FOOT STRIP OF LAND BEING A REMNANT OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO W.K. GRIFFIN AND WIFE FRANCES LARMER GRIFFIN AND LEIGHTON G. DOTSON AND WIFE, VIVIAN M.S. DOTSON DESCRIBED IN DEED RECORDED IN VOLUME 2534, PAGE 231, DRDCT; (RECORD NORTH 45°47'00" WEST~166.00')

THENCE NORTH 44°32'00" EAST ALONG THE COMMON LINE OF SAID GRIFFIN TRACT OF LAND AND SAID 3.9817 ACRE TRACT OF LAND, A DISTANCE OF 400.27 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 45°00'00" WEST, AT A DISTANCE OF 20.00 FEET PASSING THE MOST EASTERLY CORNER OF THAT CALLED 1.8365 ACRE TRACT OF LAND DESCRIBED IN DEED TO PRESCOTT INTERESTS, LTD. RECORDED IN VOLUME 97096, PAGE 1796, DRDCT, CONTINUING ALONG THE COMMON LINE OF SAID 3.9817 ACRE TRACT OF LAND AND SAID 1.8365 ACRE TRACT OF LAND IN ALL FOR A TOTAL DISTANCE OF 220.00 FEET TO A 1/2-INCH IRON ROD FOUND FOR MOST NORTHERLY CORNER OF SAID 1.8365 TRACT OF LAND AND BEING IN THE SOUTHEASTERLY LINE OF A CALLED 3.842 ACRE TRACT OF LAND DESCRIBED IN DEED TO JOHN J. TOMAINO DBA J & J ENTERPRISES RECORDED IN VOLUME 98088, PAGE 3196, DRDCT;

THENCE NORTH 44°36'55" EAST ALONG THE COMMON LINE OF SAID 3.9817 ACRE TRACT OF LAND AND SAID 3.842 ACRE TRACT OF LAND AT A DISTANCE OF 86.87 FEET PASSING A 1/2-INCH IRON PIPE FOUND FOR THE MOST EASTERLY CORNER OF SAID 3.842 ACRE TRACT OF LAND SAME BEING THE MOST SOUTHERLY CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO ROD-MAR CORPORATION, INC. RECORDED IN VOLUME 88237, PAGE 2258, DRDCT, CONTINUING ALONG THE COMMON LINE OF SAID 3.9817 ACRE TRACT OF LAND AND SAID ROD-MAR TRACT OF LAND AT A DISTANCE OF 97.27 FEET PASSING THE MOST SOUTHERLY CORNER OF THAT CALLED 112 SQUARE FOOT TRACT OF LAND DESCRIBED IN DEED TO T.C. BATESON RECORDED IN VOLUME 272, PAGE 104, DRDCT, CONTINUING ALONG THE COMMON LINE OF SAID 3.9817 ACRE TRACT OF LAND AND SAID 112 SQUARE FOOT TRACT OF LAND AT A DISTANCE OF 153.27 FEET PASSING THE MOST EASTERLY CORNER OF SAID 112 SQUARE FOOT TRACT OF LAND, CONTINUING ALONG THE COMMON LINE OF SAID 3.9817 ACRE TRACT OF LAND AND SAID ROD-MAR TRACT OF LAND IN ALL FOR A TOTAL DISTANCE OF 235.10 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE MOST WESTERLY SOUTHWEST CORNER OF LOT 1, BLOCK 5721 OF ARCHITECTURAL CARPENTRY MATERIALS ADDITION, AN ADDITION TO THE CITY OF DALLAS DESCRIBED BY PLAT RECORDED IN VOLUME 81125, PAGE 2866, DRDCT; (RECORD NORTH 44°32'00" EAST~235.25')

THENCE ALONG THE COMMON LINE OF SAID 3.9817 ACRE TRACT OF LAND AND SAID ARCHITECTURAL CARPENTRY MATERIALS ADDITION, THE FOLLOWING:

SOUTH 44°55'05" EAST, A DISTANCE OF 7.15 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER; (RECORD SOUTH 45°00'00" EAST~7.15')

NORTH 57°41'15" EAST, A DISTANCE OF 41.91 FEET TO A 5/8-INCH IRON ROD FOUND FOR CORNER; (RECORD NORTH 57°36'20" EAST~41.91')

SOUTH 44°59'26" EAST, A DISTANCE OF 368.37 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER IN THE AFOREMENTIONED NORTHWESTERLY LINE OF MAPLE LAWN TERRACE ADDITION; (RECORD SOUTH 45°00'00" EAST~368.70')

THENCE SOUTH 44°32'21" WEST ALONG THE COMMON LINE OF SAID 3.9817 ACRE TRACT OF LAND AND SAID MAPLE LAWN TERRACE ADDITION, A DISTANCE OF 677.08 FEET TO THE POINT OF BEGINNING; (RECORD SOUTH 44°32'00" WEST~677.08')

CONTAINING A COMPUTED AREA OF 173,351 SQUARE FEET OR 3.980 ACRES OF LAND.

Bury+Partners

ENGINEERING SOLUTIONS

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ALTA/ACSM LAND TITLE SURVEY

OF A 3.980 ACRE TRACT OF LAND SITUATED IN THE MILES BENNETT SURVEY, ABSTRACT NO. 52 CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATE: 03-10-05

PERRY HOMES

5914 & 5930
MAPLE AVENUE

SHEET 7 OF 9

Exhibit A - Tract 1

TITLE COMMITMENT NOTE:

ONLY THOSE EASEMENTS AND THAT INFORMATION LISTED IN CHICAGO TITLE INSURANCE COMPANY'S TITLE COMMITMENT G.F. NO. 2570022-WR, EFFECTIVE DATE JANUARY 24, 2005, AND RELISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER EASEMENT RESEARCH WAS PERFORMED BY BURY + PARTNERS-DFW, INC.

SCHEDULE B:

- 15. 20-FOOT RIGHT-OF-WAY EASEMENT
VOLUME 4602, PAGE 316, DRDCT
(AS SHOWN)
- 16. 11-FOOT INGRESS & EGRESS EASEMENT
VOLUME 2574, PAGE 25, DRDCT
(AS SHOWN)
- 17. DALLAS POWER & LIGHT AND SOUTHWESTERN BELL TELEPHONE COMPANY EASEMENT
VOLUME 2645, PAGE 555, DRDCT
(AS SHOWN)
- 18. 11-FOOT INGRESS & EGRESS EASEMENT
VOLUME 2815, PAGE 312, DRDCT
(AS SHOWN)

SURVEYOR'S CERTIFICATE:

THE UNDERSIGNED HEREBY CERTIFIES TO PERRY HOMES, DAVID G. BREWER II AND CHICAGO TITLE INSURANCE COMPANY:

THAT THE SURVEY OF THE PROPERTY AND DRAWING REFLECTING SAME WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED IN 1999 BY AMERICAN LAND TITLE ASSOCIATION, (ALTA), AMERICAN CONGRESS ON SURVEYING AND MAPPING, (ACSM) AND THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS, (NSPS), AND INCLUDES ITEMS 1 THROUGH 4, 6, 7(a), 8 THROUGH 11(d) AND 13 THROUGH 15 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."

David J. DeWeirdt 3/10/05
DATE

DAVID J. DE WEIRD
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5066
BURY + PARTNERS-DFW, INC.
5310 HARVEST HILL ROAD, SUITE 100
DALLAS, TEXAS 75230
(972) 991-0011

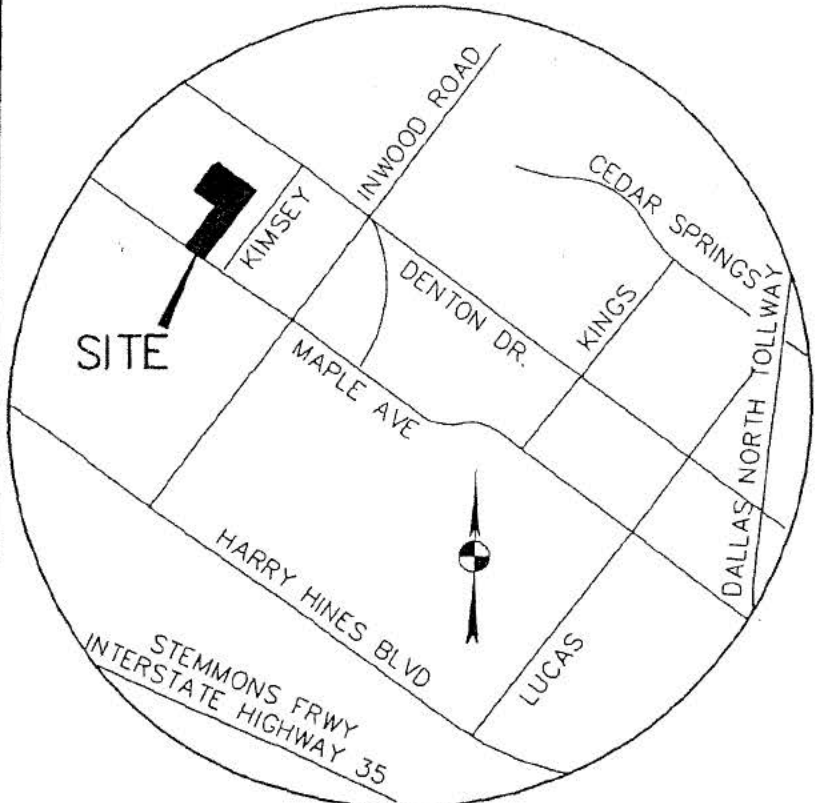


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ALTA/ACSM LAND TITLE SURVEY
OF A 3.980 ACRE TRACT OF LAND SITUATED IN
THE MILES BENNETT SURVEY, ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PERRY HOMES

5914 & 5930
MAPLE AVENUE



VICINITY MAP
MAPSCO 34P
N.T.S.

LEGEND	
DRDCT	DEED RECORDS DALLAS COUNTY TEXAS
MRDCT	MAP RECORDS DALLAS COUNTY TEXAS
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
(xxx)	RECORD INFORMATION
PP/T	POWER POLE WITH TRANSFORMER
PP/L	POWER POLE WITH LIGHT
	ASPHALT
☆	LIGHT POLE
⊗	POWER POLE
⊖	DOWN GUY
⊙	FIRE HYDRANT
⊕	WATER VALVE
⊞	WATER METER
⊠	GAS METER
EMHO	ELECTRIC MANHOLE
WWMHO	WASTEWATER MANHOLE
CO°	WASTEWATER CLEANOUT
⊡	SIGN
⊕	SPRINKLER CONTROL VALVE
⊞	AIR CONDITIONING UNIT
(CM)	CONTROL MONUMENT
MW⊗	MONITORING WELL
— —	WOOD FENCE
○—○	CHAIN LINK FENCE
—OH—	OVERHEAD WIRE
SD	STORM DRAINAGE
WF°	WATER FAUCET
CI	CURB INLET
GI	GRATE INLET
— — —	CONCRETE RETAINING WALL

NOTES:

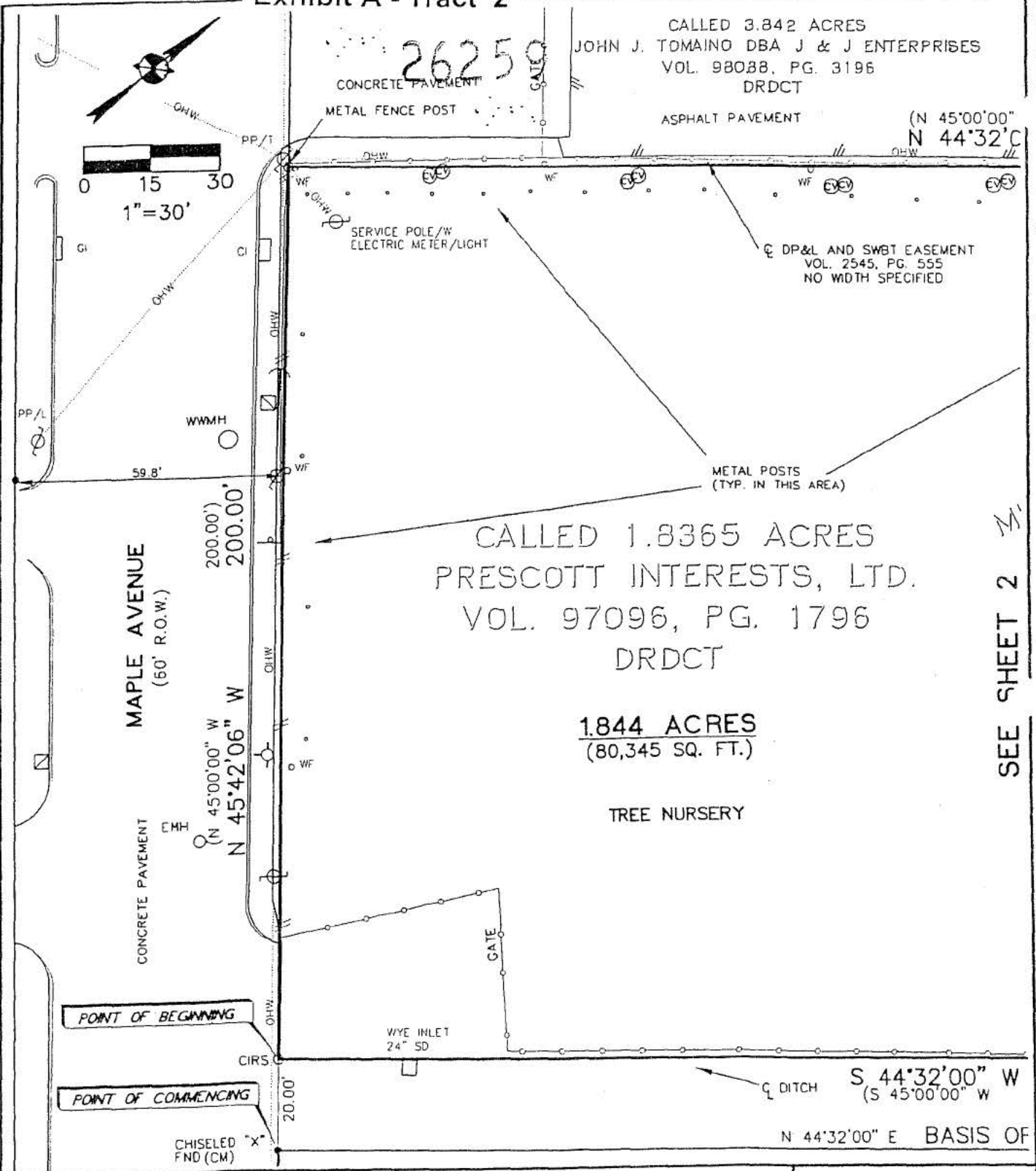
- BEARINGS SHOWN HEREON ARE BASED ON THE MOST SOUTHERLY NORTHWESTERLY LINE OF THE DAVID G. BREWER II TRACT OF LAND BEING N 44°32'00" W, THE SAME AS RECORDED IN VOLUME 2001149, PAGE 8288, DEED RECORDS OF DALLAS COUNTY, TEXAS.
- THE SUBJECT TRACT OF LAND SHOWN HEREON LIES WITHIN ZONE X, DEFINED AS "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, AS SHOWN COMMUNITY PANEL NO. 48113C0330 J, DATED AUGUST 23, 2001, FOR DALLAS COUNTY, TEXAS AND INCORPORATED AREAS. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
- THE SUBJECT TRACT OF LAND IS CURRENTLY ZONED IR WHICH HAS THE FOLLOWING REGULATIONS:
 FRONT YARD = 15 FEET
 SIDE & REAR YARD = 30 FEET ADJACENT TO RESIDENTIAL, OTHER: NO MINIMUM
 MAXIMUM HEIGHT = 200 FEET/15 STORIES
 REFER TO CITY OF DALLAS ZONING ORDINANCE FOR ADDITIONAL INFORMATION. THIS ZONING NOTE SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

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 THE MILES BENNETT SURVEY, ABSTRACT NO. 52
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

PERRY HOMES
 5914 & 5930
 MAPLE AVENUE

Exhibit A - Tract 2



SEE SHEET 2

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ALTA/ACSM LAND TITLE SURVEY
 OF A 1.844 ACRE TRACT OF LAND SITUATED IN
 THE MILES BENNETT SURVEY, ABSTRACT NO. 52
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 DATE: 03-10-05

PERRY HOMES
 6008 MAPLE AVENUE
 SHEET 1 OF 6

26259

000553

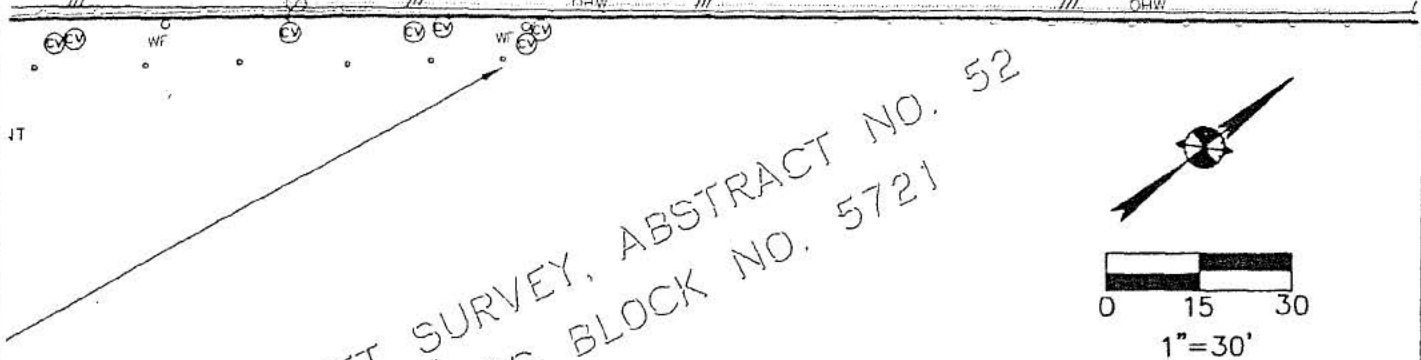
Exhibit A - Tract 2

CALLED 3.842 ACRES
JOHN J. TOMAINO DBA J & J ENTERPRISES
VOL. 98088, PG. 3196
DRDCT

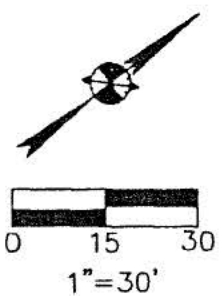
00'00" E
1'32'00" E

400.00'
402.96'

ASPHALT PAVEMENT



MILES BENNETT SURVEY, ABSTRACT NO. 52
CITY OF DALLAS BLOCK NO. 5721



CALLLED 1.8365 ACRES
PRESCOTT INTERESTS, LTD.
VOL. 97096, PG. 1796
DRDCT

SEE SHEET 1

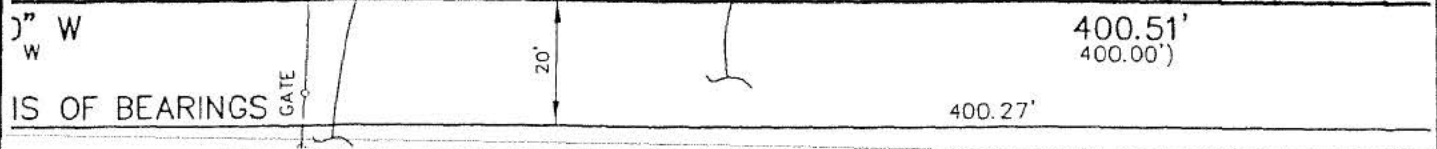
SEE SHEET 3

1.844 ACRES
(80,345 SQ. FT.)

TREE NURSERY

CALLLED 3.9817 ACRES
DAVID G. BREWER II
VOL. 2001149, PG. 8288
DRDCT

REMNANT TRACT
W.K. GRIFFIN AND WIFE,
FRANCES LARMER GRIFFIN
LEIGHTON G. DOTSON AND WIFE,
VIVIAN M.S. DOTSON
VOL. 2534, PG. 231
DRDCT



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CITY OF DALLAS, DALLAS COUNTY, TEXAS

PERRY HOMES
6008 MAPLE AVENUE

CALLED 3.842 ACRES

JOHN J. TOMAINO DBA J & J ENTERPRISES

VOL. 98088, PG. 3196

DRDCT

ASPHALT PAVEMENT

CONCRETE

3.00')
102.96'

PP'S/T

86.87'

1/2" IRF

GATE

WELL

DP&L AND SWBT EASEMENT
VOL. 2545, PG. 555
NO WIDTH SPECIFIED

EASEMENT RESERVATION FOR
SPUR TRACT
VOL. 2815, PG. 312
(NO WIDTH SPECIFIED)

200.00'

CALLLED 1.8365 ACRES
PRESCOTT INTERESTS, LTD.
VOL. 97096, PG. 1796
DRDCT

CALLLED 3.9817 ACRES
DAVID G. BREWER II
VOL. 2001149, PG. 8288
DRDCT

CONCRETE PAVEMENT

S 45'00"00" E

1.844 ACRES
(80,345 SQ. FT.)

TREE NURSERY

SEE SHEET 2

REMNANT TRACT
W.K. GRIFFIN AND WIFE,
FRANCES LARMER GRIFFIN
LEIGHTON G. DOTSON AND WIFE,
VIVIAN M.S. DOTSON
VOL. 2534, PG. 231
DRDCT

400.51'
400.00')

CIRS

400.27'

1/2" IRF
(CM)

Bury+Partners

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OF A 1.844 ACRE TRACT OF LAND SITUATED IN
THE MILES BENNETT SURVEY, ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATE: 03-10-05

PERRY HOMES

5008 MAPLE AVENUE

SHEET 3 OF 6

Exhibit A - Tract 2

26259

PROPERTY DESCRIPTION:

BEING A 1.844 ACRE TRACT OF LAND SITUATED IN THE MILES BENNETT SURVEY, ABSTRACT NO. 52, CITY OF DALLAS BLOCK NO. 5721, DALLAS, COUNTY, TEXAS, AND BEING ALL OF THAT CALLED 1.8365 ACRE TRACT OF LAND DESCRIBED IN DEED TO PRESCOTT INTERESTS, LTD. RECORDED IN VOLUME 97096, PAGE 1796., DEED RECORDS OF DALLAS COUNTY, TEXAS, (DRDCT), SAID 1.844 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CHISELED "X" FOUND FOR THE WESTERLY CORNER OF THAT CALLED 3.9817 ACRE TRACT OF LAND DESCRIBED IN DEED TO DAVID C. BREWER II RECORDED IN VOLUME 2001149, PAGE B288, DRDCT SAME BEING THE MOST SOUTHERLY CORNER OF A 20-FOOT STRIP OF LAND BEING A REMNANT OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO W.K. GRIFFIN AND WIFE FRANCES LARMER GRIFFIN AND LEIGHTON G. DOTSON AND WIFE, VIVIAN M.S. DOTSON DESCRIBED IN DEED RECORDED IN VOLUME 2534, PAGE 231, DRDCT AND BEING IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MAPLE AVENUE, (A CALLED 60-FOOT RIGHT-OF-WAY);

THENCE NORTH 45°42'06" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "BURY + PARTNERS" SET FOR THE POINT OF BEGINNING, BEING THE WESTERLY CORNER FO SAID 20.00 FOOT STRIP AND THE MOST SOUTHERLY CORNER OF SAID 1.8365 ACRE TRACT OF LAND;

THENCE NORTH 45°42'06" WEST CONTINUING ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 200.00 FEET TO A METAL FENCE POST FOUND FOR THE MOST WESTERLY CORNER OF SAID 1.8365 ACRE TRACT OF LAND, SAME BEING THE MOST SOUTHERLY CORNER OF THAT CALLED 3.842 ACRE TRACT OF LAND DESCRIBED IN DEED JOHN J. TOMAINO DBA J & J ENTERPRISES RECORDED IN VOLUME 98088, PAGE 3196, DRDCT; (RECORD NORTH 45°00'00" WEST~200.00')

THENCE NORTH 44°32'00" EAST ALONG THE COMMON LINE SAID 1.8365 ACRE TRACT AND SAID 3.842 ACRE TRACT OF LAND A DISTANCE OF 402.96 FEET TO A 1/2-INCH IRON ROD FOUND FOR A NORTHWESTERLY CORNER OF SAID 3.9817 ACRE TRACT OF LAND; (RECORD NORTH 45°00'00" EAST~400.00')

THENCE SOUTH 45°00'00" EAST ALONG THE COMMON LINE SAID CALLED 1.8365 ACRE TRACT AND SAID 3.9817 ACRE TRACT OF LAND, A DISTANCE OF 200.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "BURY + PARTNERS" SET FOR THE MOST EASTERLY CORNER OF SAID 1.8365 ACRE TRACT OF LAND AND THE MOST NORTHERLY CORNER OF THE AFOREMENTIONED 20-FOOT REMNANT STRIP;

THENCE SOUTH 44°32'00" WEST ALONG THE COMMON LINE SAID 1.8365 ACRE TRACT AND SAID 20-FOOT REMNANT STRIP, A DISTANCE OF 400.51 FEET TO THE POINT OF BEGINNING; (RECORD SOUTH 45°00'00" WEST~400.00')

CONTAINING A COMPUTED AREA OF 80,345 SQUARE FEET OR 1.844 ACRES OF LAND.

b Bury+Partners
ENGINEERING SOLUTIONS
5310 Harvest Hill Road, Suite 100
Dallas, Texas 75230
Tel. (972)991-0011 Fax (972)991-0278
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SA SUR: 1367-00 SUR: HALF 3367-06-11 d.w

ALTA/ACSM LAND TITLE SURVEY
OF A 1.844 ACRE TRACT OF LAND SITUATED IN
THE MILES BENNETT SURVEY, ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATE: 03-10-05

PERRY HOMES

6008 MAPLE AVENUE

SHEET 4 OF 6

Exhibit A - Tract 2

TITLE COMMITMENT NOTE:

ONLY THOSE EASEMENTS AND THAT INFORMATION LISTED IN CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT G.F. NO. 2570028-PH, EFFECTIVE DATE FEBRUARY 03, 2005, AND RELISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER EASEMENT RESEARCH WAS PERFORMED BY BURY + PARTNERS-DFW, INC.

SCHEDULE B:

- 12. DALLAS POWER & LIGHT AND SOUTHWESTERN BELL TELEPHONE COMPANY EASEMENT
VOLUME 2645, PAGE 555, DRDCT
(AS SHOWN)

SURVEYOR'S CERTIFICATE:

THE UNDERSIGNED HEREBY CERTIFIES TO PERRY HOMES, PRESCOTT INTERESTS, LTD. AND CHICAGO TITLE INSURANCE COMPANY:

THAT THE SURVEY OF THE PROPERTY AND DRAWING REFLECTING SAME WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED IN 1999 BY AMERICAN LAND TITLE ASSOCIATION, (ALTA), AMERICAN CONGRESS ON SURVEYING AND MAPPING, (ACSM) AND THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS, (NSPS), AND INCLUDES ITEMS 1 THROUGH 4, 6, 7(a), 8 THROUGH 11(a) AND 13 THROUGH 15 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."

David J. DeWeirdt

3/10/05

DAVID J. DE WEIRD T
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5066
BURY + PARTNERS-DFW, INC.
5310 HARVEST HILL ROAD, SUITE 100
DALLAS, TEXAS 75230
(972) 991-0011

DATE



b Bury+Partners

ENGINEERING SOLUTIONS
5310 Harvest Hill Road, Suite 100
Dallas, Texas 75230
Tel. (972)991-0011 Fax (972)991-0278
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ALTA/ACSM LAND TITLE SURVEY

OF A 1.844 ACRE TRACT OF LAND SITUATED IN THE MILES BENNETT SURVEY, ABSTRACT NO. 52 CITY OF DALLAS, DALLAS COUNTY, TEXAS

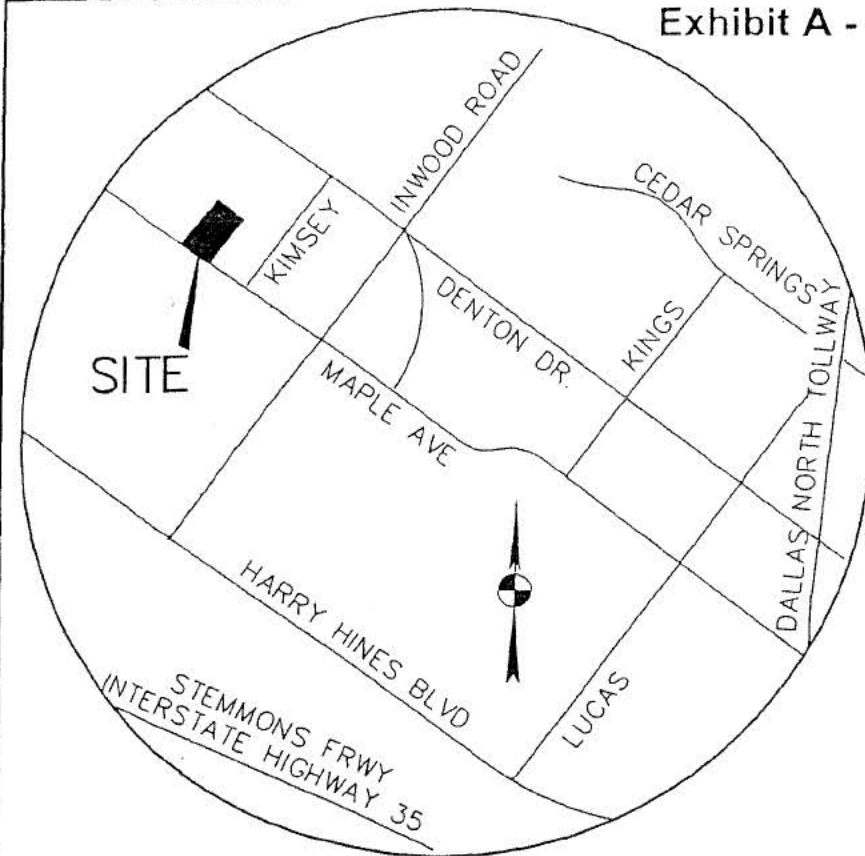
DATE: 03-10-05

PERRY HOMES

6008 MAPLE AVENUE

SHEET 5 OF 6

Exhibit A - Tract 2



VICINITY MAP
MAPSCO 34P
N.T.S.

LEGEND

DRDCT	DEED RECORDS DALLAS COUNTY TEXAS
MRDCT	MAP RECORDS DALLAS COUNTY TEXAS
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
(XXX)	RECORD INFORMATION
PP/T	POWER POLE WITH TRANSFORMER
PP/L	POWER POLE WITH LIGHT
	ASPHALT
	LIGHT POLE
	POWER POLE
	DOWN GUY
	FIRE HYDRANT
	WATER VALVE
	WATER METER
	GAS METER
EMHO	ELECTRIC MANHOLE
WWMHO	WASTEWATER MANHOLE
CO ^o	WASTEWATER CLEANOUT
	SIGN
	SPRINKLER CONTROL VALVE
	AIR CONDITIONING UNIT
(CM)	CONTROL MONUMENT
mw ⊗	MONITORING WELL
	WOOD FENCE
	CHAIN LINK FENCE
-OHW-	OVERHEAD WIRE
SD	STORM DRAINAGE
WF ^o	WATER FAUCET
CI	CURB INLET
GI	GRATE INLET
	CONCRETE RETAINING WALL

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE MOST SOUTHERLY NORTHWESTERLY LINE OF THE DAVID G. BREWER II TRACT OF LAND BEING N 44°32'00" W, THE SAME AS RECORDED IN VOLUME 2001149, PAGE 8288, DEED RECORDS OF DALLAS COUNTY, TEXAS.

2. THE SUBJECT TRACT OF LAND SHOWN HEREON LIES WITHIN ZONE X, DEFINED AS "ARE AS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, AS SHOWN COMMUNITY PANEL NO. 48113C0330 J, DATED AUGUST 23, 2001, FOR DALLAS COUNTY, TEXAS AND INCORPORATED AREAS. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

3. THE SUBJECT TRACT OF LAND IS CURRENTLY ZONED IR WHICH HAS THE FOLLOWING REGULATIONS:

- FRONT YARD = 15 FEET
- SIDE & REAR YARD = 30 FEET ADJACENT TO RESIDENTIAL, OTHER: NO MINIMUM
- MAXIMUM HEIGHT = 200 FEET/15 STORIES

REFER TO CITY OF DALLAS ZONING ORDINANCE FOR ADDITIONAL INFORMATION. THIS ZONING NOTE SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

Bury+Partners
ENGINEERING SOLUTIONS
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Tel. (972)991-0011 Fax (972)991-0278
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ALTA/ACSM LAND TITLE SURVEY
OF A 1.844 ACRE TRACT OF LAND SITUATED IN THE MILES BENNETT SURVEY, ABSTRACT NO. 52 CITY OF DALLAS, DALLAS COUNTY, TEXAS

PERRY HOMES
6008 MAPLE AVENUE

DATE: 03-10-05

SHEET 6 OF 6

26259

060553

Exhibit A - Tract 3

**METES & BOUNDS DESCRIPTION
MAPLE AVENUE RIGHT-OF-WAY AND
INTERSECTING 20-FOOT STRIP
CITY OF DALLAS BLOCK NO. 5721**

BEING A 31,168 SQUARE FOOT TRACT OF LAND LOCATED IN THE MILES BENNETT SURVEY, ABSTRACT NO. 52, CITY OF DALLAS BLOCK NO. 5721, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF MAPLE AVENUE AND ALL OF A CALLED 20 FOOT BY 400 FOOT STRIP OF LAND DEDICATED TO THE CITY OF DALLAS ACCORDING TO THE DEED FILED FOR RECORD IN VOLUME 2534, PAGE 231, DEED RECORDS, DALLAS COUNTY, TEXAS, (DRDCT), SAID 31,168 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1-INCH IRON ROD FOUND IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MAPLE AVENUE (A 60-FOOT WIDE RIGHT-OF-WAY), SAID 1-INCH IRON ROD BEING THE MOST SOUTHERLY CORNER OF THAT CALLED 3.9817 ACRE TRACT DESCRIBED IN THE DEED TO DAVID G. BREWER, II, AND FILED FOR RECORD IN VOLUME 2001149, PAGE 8288, DRDCT, AND BEING THE MOST WESTERLY CORNER OF BLOCK E/5713, MAPLE LAWN TERRACE, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT FILED FOR RECORD IN VOLUME 3, PAGE 242, MAP RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 44 DEG. 17 MIN. 54 SEC. WEST, DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET TO A POINT FOR CORNER IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID MAPLE AVENUE;

THENCE NORTH 45 DEG. 42 MIN. 06 SEC. WEST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 386.00 FEET TO A POINT FOR CORNER;

THENCE NORTH 44 DEG. 17 MIN. 54 SEC. EAST, DEPARTING SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET, TO A METAL FENCE POST FOUND FOR THE MOST WESTERLY CORNER OF THAT CALLED 1.8365 ACRE TRACT OF LAND DESCRIBED IN DEED TO PRESCOTT INTERESTS, LTD. RECORDED IN VOLUME 97096, PAGE 1796, DRDCT, SAME BEING THE MOST SOUTHERLY CORNER OF THAT CALLED 3.842 ACRE TRACT OF LAND DESCRIBED IN DEED JOHN J. TOMAINO DBA J & J ENTERPRISES RECORDED IN VOLUME 98088, PAGE 3196, DRDCT AND BEING IN THE AFOREMENTIONED NORTHEASTERLY RIGHT-OF-WAY LINE OF MAPLE AVENUE;

THENCE SOUTH 45 DEG. 42 MIN. 06 SEC. EAST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 200.00 FEET TO

26259

Exhibit A - Tract 3

060558

A 5/8-INCH IRON ROD WITH CAP STAMPED "BURY + PARTNERS" FOUND FOR THE MOST SOUTHERLY CORNER OF SAID 1.8365 ACRE TRACT OF LAND AND BEING THE MOST WESTERLY CORNER OF THE AFOREMENTIONED 20 FOOT BY 400 FOOT STRIP OF LAND;

THENCE NORTH 44 DEG. 32 MIN. 00 SEC. EAST ALONG THE COMMON LINE OF SAID 1.8365 ACRE AND SAID 20 FOOT BY 400 FOOT STRIP OF LAND, A DISTANCE OF 400.51 FEET, TO A 5/8-INCH IRON ROD WITH CAP STAMPED "BURY + PARTNERS" FOUND FOR MOST EASTERLY CORNER OF SAID 1.8365 ACRE TRACT OF LAND SAME BEING THE MOST NORTHERLY CORNER OF SAID 20 FOOT BY 400 FOOT STRIP OF LAND AND BEING IN A WESTERLY LINE OF SAID 3.9817 ACRE TRACT OF LAND;

THENCE SOUTH 45 DEG. 00 MIN. EAST ALONG THE COMMON LINE OF SAID 20 FOOT BY 400 FOOT STRIP OF LAND AND SAID 3.9817 ACRE TRACT OF LAND, A DISTANCE OF 20.00 FEET, TO A 1/2-INCH IRON ROD FOUND FOR CORNER;

THENCE SOUTH 44 DEG. 32 MIN. 00 SEC. WEST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 400.27 FEET, TO A CHISELED "X" FOUND FOR THE MOST SOUTHERLY CORNER OF SAID 20 FOOT BY 400 FOOT STRIP OF LAND SAME BEING THE MOST WESTERLY CORNER OF SAID 3.9817 ACRE TRACT OF LAND AND BEING IN SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF MAPLE AVENUE;

THENCE SOUTH 45 DEG. 42 MIN. 06 SEC. EAST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 166.00 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPUTED AREA OF 31,168 SQUARE FEET OR 0.7155 OF AN ACRE OF LAND.

NOTES:

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS FIELD NOTE DESCRIPTION.

BEARING BASIS:

BEARINGS CALLED FOR HEREIN ARE BASED ON THE MOST SOUTHERLY NORTHWESTERLY LINE OF THE DAVID G. BREWER II TRACT OF LAND BEING N 44°32'00" W, THE SAME AS RECORDED IN VOLUME 2001149, PAGE 8288, DEED RECORDS OF DALLAS COUNTY, TEXAS.

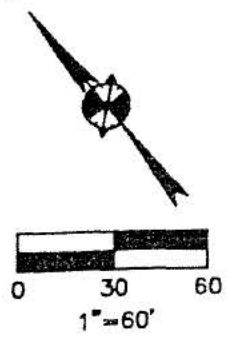


Exhibit A - Tract 3

060553

LEGEND

- DRDCT DEED RECORDS DALLAS COUNTY TEXAS
- MRDCT MAP RECORDS DALLAS COUNTY TEXAS
- RF IRON ROD FOUND
- RP IRON PIPE FOUND
- (XXX) RECORD INFORMATION
- ASPHLT ASPHALT
- (CM) CONTROL MONUMENT
- WOOD FENCE WOOD FENCE
- CHAIN LINK FENCE CHAIN LINK FENCE



CALLED 3.9817 ACRES
DAVID G. BREWER II
VOL. 2001149, PG. 8288
DRDCT
"VACANT"

20' X 400' STRIP
CITY OF DALLAS
VOL. 2534, PG. 231
DRDCT

CALLED 1.8365 ACRES
PRESCOTT INTERESTS, LTD.
VOL. 97096, PG. 1796
DRDCT
TREE NURSERY

DP&L AND SWBT EASEMENT
VOL. 2545, PG. 555
NO WIDTH SPECIFIED

NOTES

A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.

BEARINGS SHOWN HEREON ARE BASED ON THE MOST SOUTHERLY NORTHWESTERLY LINE OF THE DAVID G. BREWER II TRACT OF LAND BEING N 44°32'00" W, THE SAME AS RECORDED IN VOLUME 2001149, PAGE 8288, DEED RECORDS OF DALLAS COUNTY, TEXAS.

METAL FENCE POST

(N 45°00'00" W 200.00')
(S 45°42'06" E 200.00')

11' INGRESS & EGRESS EASEMENT
VOL. 2574, PG. 25
VOL. 2815, PG. 312

POINT OF BEGINNING

(N 45°47'00" W 166.00')
(S 45°42'06" E 166.00')

MAPLE AVENUE
(60' R.O.W.)
0.7155 ACRES
(31,168 SQ. FT.)

2' STREET DEDICATION EASEMENT
VOL. 87189, PG. 2372

LOT 17A
FOREST PARK ADDITION
VOL. 87189, PG. 2372
MRDCT

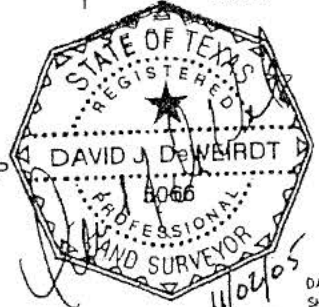
DALLAS AIRMOTIVE, INC.
VOL. 95052, PG. 186
DRDCT

FELDER SHAW II
VOL. 2003229, PG. 1832
DRDCT

BURBANK PARTNERS, L.P.
VOL. 2003230, PG. 9224
DRDCT

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RIGHT-OF-WAY EXHIBIT
MAPLE AVENUE RIGHT-OF-WAY AND 20-FOOT STRIP
OF LAND SITUATED IN
THE MILES BENNETT SURVEY, ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS



DATE: 11/02/05
SHEET: 3 OF 3

B



Municipal Setting Designation Application Form

TCEQ Office Use Only:	Date Add. Info Req. 515106
Application No: MSD App 015	Date Add. Info Rec'd 515106
Date Received: 2/28/106	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 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 type="radio"/> Yes	<input type="radio"/> No ¹
Municipality name: City of Dallas	Population: 1,214,048	
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 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 type="radio"/> Mr. <input type="radio"/> Ms. Richard Hale		
Title: Senior Vice President		
Company: Perry Homes a Joint Venture		
Mailing Address: 9000 Gulf Freeway, 3rd Floor		
City: Houston	State: TX	Zip: 77234
Telephone: 713 / 948-7772	Telefax: 713 / 331-8043	
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 type="radio"/> Yes	<input type="radio"/> No ²
² Do not submit application.		

Notice Information:

On or before the date of submission of the application to TCEQ, was notice provided to:		
a) each municipality:		
1) where the proposed MSD is located?	<input type="radio"/> Yes	<input type="radio"/> No ³
2) with a border within 0.5 miles beyond the proposed MSD boundaries?	<input type="radio"/> Yes	<input type="radio"/> No ³ <input type="radio"/> NA ⁴
3) 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 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 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 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. VCP No. 1845, IOP Nos. 218 & 247, VCP No. 1300 (NFA rec'd)		
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 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 type="radio"/> Yes, when? 02 / / 01	<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 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 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 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 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 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):

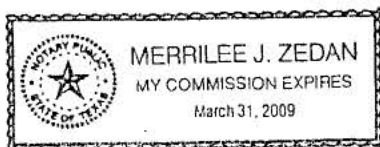
- The MSD eligibility criteria of THSC §361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC §361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the proposed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

Date 2-15-06

Before me MERRILEE ZEDAN the undersigned authority, on this day personally appeared
Name of Notary
RICHARD HALE and signed this Municipal Setting Designation Application.
Name of Applicant

Sworn, subscribed and signed before me in the County of HARRIS, State of TX, on the 15th
 day of FEB., 2006



Merrilee J. Zedan