

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 5, 2009

Mr. Brendan Lowrey
Thompson & Knight LLP
One Arts Plaza
1722 Ruth Street, Suite 1500
Dallas, TX 75201-2533

Re: Municipal Setting Designation (MSD) Certificate for Kingsley Square, 7070,
7140, 7160, 7203, 7210, and 7218 Skillman Street, Dallas, TX; MSD No. 89

Dear Mr. Lowrey:

Enclosed is the Municipal Setting Designation Certification for the above-referenced 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

cc: Kim Fross, Project Manager VCP No. 1560, Remediation Division, MC-137

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, Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for MSD No. 89, in the City of Dallas, 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 27th day of January 2009.



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



MSD BOUNDARY SURVEY

Block 8125, Block 1/8125, Block 2/8125 and Block C/8130

Lake Highlands Town Center

W.P. Wyche Survey, Abstract No. 1522

City of Dallas, Dallas County, Texas

DESCRIPTION, of a 93.306 acre tract situated in the W.P. Wyche Survey, Abstract No. 1522, Dallas County, Texas; said tract being all of Block C/8130, Kingsley Square Shopping Center, an addition to the City of Dallas, Texas according to the plat recorded in Volume 77074, Page 004 of the Deed Records of Dallas County, Texas; and being all of that tract of land described in General Warranty Deed to AEW #14 Corporation recorded in Volume 91027, Page 2009 of said Deed Records; and being all of Lot 1, Block 1/8125, Kingsley Creek Apartments, Phase 1, addition to the City of Dallas, Texas, according to the plat recorded in Volume 75150, Page 2325 of the said Deed Records; and all of Lot 2, Block 1/8125 Kingsley Creek Apartments Phase 2, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76146, Page 1975 of the said Deed Records; and being all of those tracts of land described in Special Warranty Deed to PC LH Land Partners recorded in Instrument No. 20070253731 of said Deed Records; and being all of Block 2/8125, Woodstock, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76211, Page 134 of the said Deed Records; and being all of that tract of land described in Special Warranty Deed to PC LH Land Partners, LP recorded in Volume Instrument No. 20070235130 of said Deed Records; and being part of Block 8125 of the Official Block Numbers of the City of Dallas; and being all of that tract of land described in Special Warranty Deed With Vendor's Lien to PC LH Land Partners, LP recorded in Instrument No. 20070235132 of the said Deed Records; and being part of that tract of land described in Warranty Deed to the City of Dallas recorded in Volume 70219, Page 1291 of said Deed Records; and being all of Lot 1-C, Block 2/8125, Jackson Square Addition No. 1, an addition to the City of Dallas, Texas according the plat recorded in Volume 77080, Page 18 of the said Deed Records; and being all of Lot 1-A, Block 2/8125, Jackson Square Addition No. 1, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76202, Page 379 of said Deed Records; and being all of that tract of land described in Special Warranty Deed to PC LH Land Partners, LP recorded in Instrument No. 20070235129 of said Deed Records; and also being a part of Walnut Hill Lane (variable width right-of-way) and a part of Skillman Street (a variable width right-of-way); said 93.306 acre tract being more particularly described as follows (Bearing system for this survey is based on a bearing of North 03 degrees 46 minutes 00 seconds West for the west right-of-way line of Skillman Street according to the plat of Jackson Square No. 1, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 74172, Page 1773 of the Deed Records of Dallas County, Texas)

BEGINNING, at a 5/8-inch iron rod with "R.P.L.S. #1890" cap found in the north right-of-way line of Walnut Hill Lane (Kingsley Road) (a variable width right-of-way)(100 feet wide at this point), said point being the northwest corner of Merriman Park Estates No. 3, an addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Volume 72233, Page 295 of said Deed Records; said point being the beginning of a non-tangent curve to the left;

THENCE, in a southeasterly direction, along the said north line of Walnut Hill Lane, along said curve to the left having a central angle of 00 degrees, 05 seconds, 52 seconds, a radius of 719.00 feet, a chord bearing and distance of South 56 degrees, 51 minutes, 10 seconds East, 1.23 feet, an arc distance of 1.23 feet to a point for corner; said point being the southwest corner of said Block C/8130;

THENCE, North 44 degrees, 19 minutes, 51 seconds East, departing the said north line of Walnut Hill Lane, and along the east line of Block 3/8135, Merriman Park Estates, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76026, Page 1237 of the said Deed Records, a distance of 245.17 feet to a point for corner;

| | |
|---------------------|-------|
| (For SPRG use only) | |
| Reviewed By: | _____ |
| Date: | _____ |
| SPRG NO: | _____ |

**MSD BOUNDARY SURVEY
(CONTINUED)**

THENCE, North 00 degrees, 06 minutes, 29 seconds West, continuing along the said east line of Block 3/8135, a distance of 297.23 feet to a point for corner; said point being the northwest corner of said Kingsley Square Shopping Center; said point also being the southwest corner of Block 3/8135 Kingsley Creek Estates, an addition to the City of Dallas, Texas according to the plat recorded in Volume 78053, Page 112 of the said Deed Records;

THENCE, North 87 degrees, 59 minutes, 46 seconds East, along the south line of Block 3/8135, a distance of 513.09 feet to a point for corner in the west right-of-way line of Skillman Street (variable width right-of-way); said point also being the northeast corner of said Block C/8130;

THENCE, South 79 degrees, 31 minutes, 12 seconds East, departing the said west line of Skillman Street, a distance of 158.56 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set in the east right-of-way line of Skillman Street; said point also being the northeast corner of said Lot 1, Block 1/8125, Kingsley Creek Apartments Phase 1; said point also being the southwest corner of Lot 1D, Block 5/8125, Huntington Lakes Addition, an addition to the City of Dallas, Texas, according to the plat recorded in Volume 95207, Page 3742 of said Deed Records;

THENCE, along the southerly lines of said Lot 1D, Block 5/8125, and the northerly lines of said Lots 1 and 2, Block 1/8125, the following five (5) calls:

South 88 degrees, 01 minutes, 40 seconds East, a distance of 194.99 feet to a 5/8-inch iron rod found for corner at the beginning of a non-tangent curve to the left;

In a northeasterly direction, along said curve to the left having a central angle of 231 degrees, 09 minutes, 15 seconds, a radius of 25.00 feet, a chord bearing and distance of North 54 degrees, 33 minutes, 32 seconds East, 45.10 feet, an arc distance of 100.86 feet to a 5/8-inch iron rod found for corner at the beginning of a curve to the right;

In a northwesterly direction, along said curve to the right having a central angle of 51 degrees, 15 minutes, 38 seconds, a radius of 15.00 feet, a chord bearing and distance of North 35 degrees, 23 minutes, 17 seconds West, 12.98 feet, an arc distance of 13.42 feet to a point for corner; from said point a 5/8-inch iron rod found bears South 17 degrees, 23 minutes East, a distance of 0.4 feet;

North 09 degrees, 45 minutes, 27 seconds West, a distance of 324.26 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set for the northerly northwest corner of said Lot 1, Block 1/8125; said point being a reentrant corner of said Lot 1D;

South 88 degrees, 40 minutes, 05 seconds East, passing at a distance of 338.21 feet an 1/2-inch iron rod with "Pacheco Koch" cap set at the northeast corner of Lot 1, Block 1/8125 and the northwest corner of said Lot 2, Block 1/8125, and continuing a total distance of 1,153.73 feet to a 1/2-inch iron rod found for corner; said point being the northeast corner of said Lot 2, Block 1/8125 and being in the west right-of-way line of the Dallas Area Rapid Transit railway (D.A.R.T., formerly known as the M.K. & T. Railroad, a variable width right-of-way); said point also being at the beginning of a non-tangent curve to the right;

THENCE, along the said west line of the D.A.R.T. railway, the following eight (8) calls:

In a southerly direction, departing the said south line of Lot 1D, Block 5/8125, along said curve to the right, having a central angle of 04 degrees, 04 minutes, 09 seconds, a radius of 1,332.51 feet, a chord bearing and distance of South 10 degrees, 03 minutes, 09 seconds West, 94.61 feet, an arc distance of 94.63 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set at the end of said curve;

(For SPRG use only)

Reviewed By: _____

Date: _____

SPRG NO: _____

**MSD BOUNDARY SURVEY
(CONTINUED)**

South 12 degrees, 05 minutes, 17 seconds West, a distance of 731.48 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set at an angle point; said point being the southeast corner of said Lot 2, Block 1/8125; said point also being at the intersection of the said west line of the D.A.R.T. railway with the said north line of Walnut Hill Lane (a variable width right-of-way at this point);

South 13 degrees, 51 minutes, 01 seconds West, departing the said north line of Walnut Hill Lane, a distance of 141.37 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

In a southerly direction, passing at a distance of 87.18 feet the south line of said Walnut Hill Lane, and continuing along said curve to the right, having a central angle of 15 degrees, 56 minutes, 00 seconds, a radius of 2,009.86 feet, a chord bearing and distance of South 04 degrees, 05 minutes, 05 seconds West, 557.12 feet, an arc distance of 558.92 feet to a point at the end of said curve;

South 03 degrees, 52 minutes, 55 seconds East, a distance of 183.43 feet to a 1/2-inch iron rod found; said point being the south corner of said City of Dallas tract;

South 03 degrees, 45 minutes, 58 seconds East, passing at a distance of 16.87 feet, a 1/2-inch iron rod found for the southeast corner of said Woodstock Addition and the northeast corner of said Lot 1-C, Block 2/8125, and continuing, a total distance of 450.97 feet to a 1/2-inch iron rod found for corner; said point being the beginning of a tangent curve to the right;

In a southerly direction, passing at an arc distance of 189.03 feet, a 1/2-inch iron rod found at the southeast corner of said Lot 1-C and the northeast corner of said Lot 1-A Block 2/8125, and continuing along said curve to the right, having a central angle of 25 degrees, 03 minutes, 00 seconds, a radius of 1,809.86 feet, a chord bearing and distance of South 08 degrees, 45 minutes, 32 seconds West, 784.99 feet, an arc distance of 791.28 feet to a point for the end of said curve; from said point a 1/2-inch iron rod found bears South 46 degrees, 13 minutes West, a distance of 1.1 feet;

South 21 degrees, 17 minutes, 02 seconds West, a distance of 142.03 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set for corner; said point being the southeast corner of said Lot 1-A Block 2/8125; said point being the northeast corner of Lot 2, Block 3/8125, Willow Park Condominiums, an addition to the City of Dallas, Texas according to the plat recorded in Volume 83036, Page 2555 of said Deed Records;

THENCE, North 86 degrees, 03 minutes, 00 seconds West, departing the said west line of D.A.R.T. and along the north line of said Lot 2, Block 3/8125, a distance of 850.82 feet to a 1/2-inch iron rod found for corner on the east right-of-way line of said Skillman Street (a variable width right-of-way); said point being the southwest corner of said Lot 1-A, Block 2/8125 and the northwest corner of said Lot 2, Block 3/8125;

THENCE, South 83 degrees, 07 minutes, 43 seconds West, departing the said east line of Skillman Street, a distance of 133.14 feet to a point for corner on the west line of said Skillman Street; said point being the northeast corner of Lot 22, Block 1/7682, Revised Plat of Lot 3 thru 10 in City Block 6/7682 Merriman Park Estates No.2 and Lot 11, Block 6/7682 and Lots 8 thru 17 in City Block C/7682 Revised Plat of Merriman Park Estates No. 3 an addition to the City of Dallas recorded in Volume 74113, Page 2168 of said Deed Records;

(For SPRG use only)

Reviewed By: _____

Date: _____

SPRG NO: _____

**MSD BOUNDARY SURVEY
(CONTINUED)**

THENCE, along the said west line of Skillman Street, the following four (4) calls:

North 03 degrees, 27 minutes, 26 seconds West, a distance of 59.78 feet to an angle point; said point being the southwest corner of said Block 6/7682;

North 04 degrees, 04 minutes, 27 seconds West, a distance of 1,616.75 feet to 1/2-inch iron rod found;

North 06 degrees, 28 minutes, 06 seconds West, a distance of 202.55 feet to a point for corner; said point being the beginning of a non-tangent curve to the right

In a northerly direction, along said curve to the left, having a central angle of 01 degrees, 17 minutes, 01 seconds, a radius of 5,819.65 feet, a chord bearing and distance of North 02 degrees, 34 minutes, 42 seconds West, 130.37 feet, an arc distance of 130.37 feet to a 1/2-inch iron rod found for corner at the end of said curve; said point being the intersection of the said west line of Skillman Street and the said south line of Walnut Hill Lane;

THENCE, along the said south line of Walnut Hill Lane, the following two (2) calls:

South 88 degrees, 52 minutes, 54 seconds West, a distance of 253.04 feet to the beginning of a tangent curve to the right;

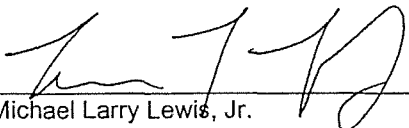
In a northwesterly direction, along said curve to the right, having a central angle of 35 degrees, 41 minutes, 56 seconds, a radius of 819.00 feet, a chord bearing and distance of North 73 degrees, 16 minutes, 08 seconds West, 502.07 feet, an arc distance of 510.29 feet to a point at the end of said curve;

THENCE, North 44 degrees, 24 minutes, 54 seconds East, departing the said south line of Walnut Hill Lane, a distance of 101.70 feet to the POINT OF BEGINNING;

CONTAINING: 4,064,400 square feet or 93.306 acres of land, more or less.

(A survey plat of the even date herewith accompanies this description.)

The plat of survey hereon is a representation of the property as determined from an actual on-the-ground survey conducted by me or under my supervision. This survey has been performed in accordance with the Texas Board of Professional Land Surveying "Professional and Technical Standards". The lines and dimensions of said property are as indicated by the plat.

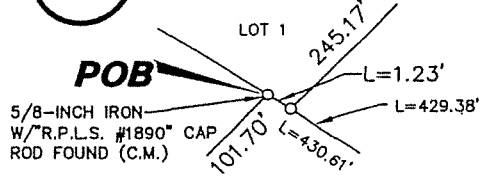
 10/11/07
Michael Larry Lewis, Jr. Date
Registered Professional Land Surveyor No. 5773
Pacheco Koch Consulting Engineers, Inc.
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031



| | |
|---------------------|-------|
| (For SPRG use only) | |
| Reviewed By: | _____ |
| Date: | _____ |
| SPRG NO: | _____ |

1 DETAIL

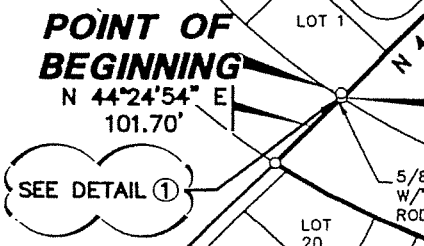
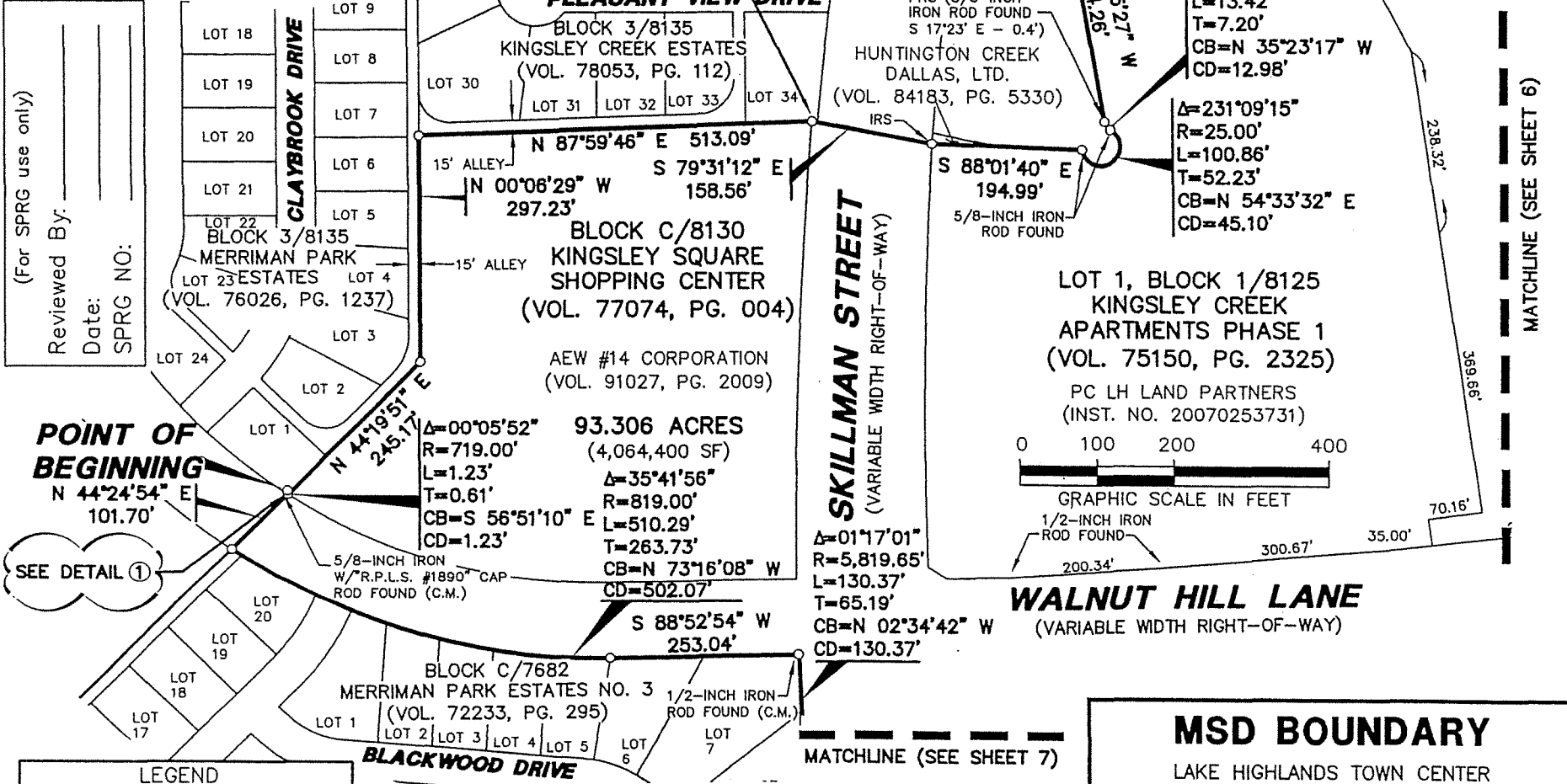
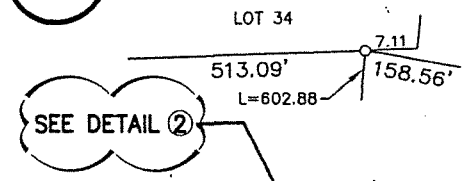
NOT TO SCALE



(For SPRG use only)
 Reviewed By: _____
 Date: _____
 SPRG NO: _____

2 DETAIL

NOT TO SCALE



| LEGEND | |
|--------|---|
| — | PROPERTY LINE |
| ○ | POINT FOR CORNER (UNLESS OTHERWISE NOTED) |
| (C.M.) | CONTROLLING MONUMENT |
| IRS | 1/2-INCH IRON ROD |
| | W/PACHECO KOCH CAP SET |

Pacheco Koch Consulting Engineers
 8350 N. CENTRAL EXPWY. SUITE 1000 DALLAS, TX. 75206 972.235.3031

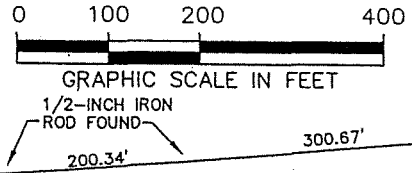
| | | | | |
|------------------------|--------------------------|-------------------------|-----------------------------|----------------------------------|
| DRAWN BY KCH | CHECKED BY MLL | SCALE 1"=200' | DATE OCTOBER 2007 | JOB NUMBER 2253-07.351 |
|------------------------|--------------------------|-------------------------|-----------------------------|----------------------------------|

MSD BOUNDARY
 LAKE HIGHLANDS TOWN CENTER
 BLOCK 8125, BLOCK 1/8125,
 BLOCK 2/8125 AND BLOCK C/8130
 AND BEING OUT OF THE
 W.P. WYCHE SURVEY, ABSTRACT NO. 1522
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 SHEET 5 OF 8

LOT 1D, BLOCK 5/8125
 HUNTINGTON LAKES ADDITION
 (VOL. 95207, PG. 3742)
 S 88°40'05" E 1,153.73'

HUNTINGTON CREEK
 DALLAS, LTD.
 (VOL. 84183, PG. 5330)

LOT 1, BLOCK 1/8125
 KINGSLEY CREEK
 APARTMENTS PHASE 1
 (VOL. 75150, PG. 2325)
 PC LH LAND PARTNERS
 (INST. NO. 20070253731)



WALNUT HILL LANE
 (VARIABLE WIDTH RIGHT-OF-WAY)

SKILLMAN STREET
 (VARIABLE WIDTH RIGHT-OF-WAY)

MATCHLINE (SEE SHEET 6)

MATCHLINE (SEE SHEET 7)

M:\DWG-22\2253D-07.351\DWG\2253D.07.351BT.DWG

LOT 1D, BLOCK 5/8125
HUNTINGTON LAKES ADDITION
(VOL. 95207, PG. 3742)

S 88°40'05" E 1,153.73'

815.52'

$\Delta=04^{\circ}04'09''$
R=1,332.51'
L=94.63'
T=47.34'
CB=S 10°03'09" W
CD=94.61'

1/2-INCH IRON
ROD FOUND

L=549.84'

DALLAS AREA RAPID TRANSIT
(M.K.&T.R.R.)
(VARIABLE RIGHT-OF-WAY)

LOT 2, BLOCK 1/8125
KINGSLEY CREEK
APARTMENTS PHASE 2
(VOL. 76146, PG. 1975)

PC LH LAND PARTNERS
(INST. NO. 20070253731)

93.306 ACRES
(4,064,400 SF)

S 12°05'17" W 731.48'

MATCHLINE (SEE SHEET 5)

245.89'

238.32'

369.66'

70.16'

254.50'

256.85'

WALNUT HILL LANE

(VARIABLE WIDTH RIGHT-OF-WAY)

MATCHLINE (SEE SHEET 7)

L=87.18

IRS
1/2-INCH IRON
ROD FOUND

BLOCK 8125
CITY OF DALLAS
(VOL. 70219,
PG. 1291)

$\Delta=15^{\circ}56'00''$
R=2,009.86'
L=558.92'
T=281.28'
CB=S04°05'05"W
CD=557.12'

S 13°51'01" W
141.37'

BLOCK 2/8125
WOODSTOCK
(VOL. 76211, PG. 134)

WOODSTOCK AT SKILLMAN
(VOL. 2001237, PG. 10123)

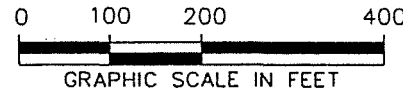
NOTES

1. A legal description of even survey date herewith accompanies this plat of survey.

2. Bearing system for this survey is based on a bearing of North 03 degrees 46 minutes 00 seconds West for the west right-of-way line of Skillman Street according to the plat of Jackson Square No. 1, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 74172, Page 1773 of the Deed Records of Dallas County, Texas.

The plat of survey hereon is a representation of the property as determined from an actual on-the-ground survey conducted by me or under my supervision. This survey has been performed in accordance with the Texas Board of Professional Land Surveying 'Professional and Technical Standards'. The lines and dimensions of said property are as indicated by the plat.

Michael Larry Lewis, Jr. 10/11/07
Date
Michael Larry Lewis, Jr.
Registered Professional
Land Surveyor No. 5773



LEGEND

- PROPERTY LINE
- POINT FOR CORNER (UNLESS OTHERWISE NOTED)
- (C.M.) CONTROLLING MONUMENT
- IRS 1/2-INCH IRON ROD W/"PACHECO KOCH CAP SET

(For SPRG use only)

Reviewed By: _____

Date: _____

SPRG NO: _____

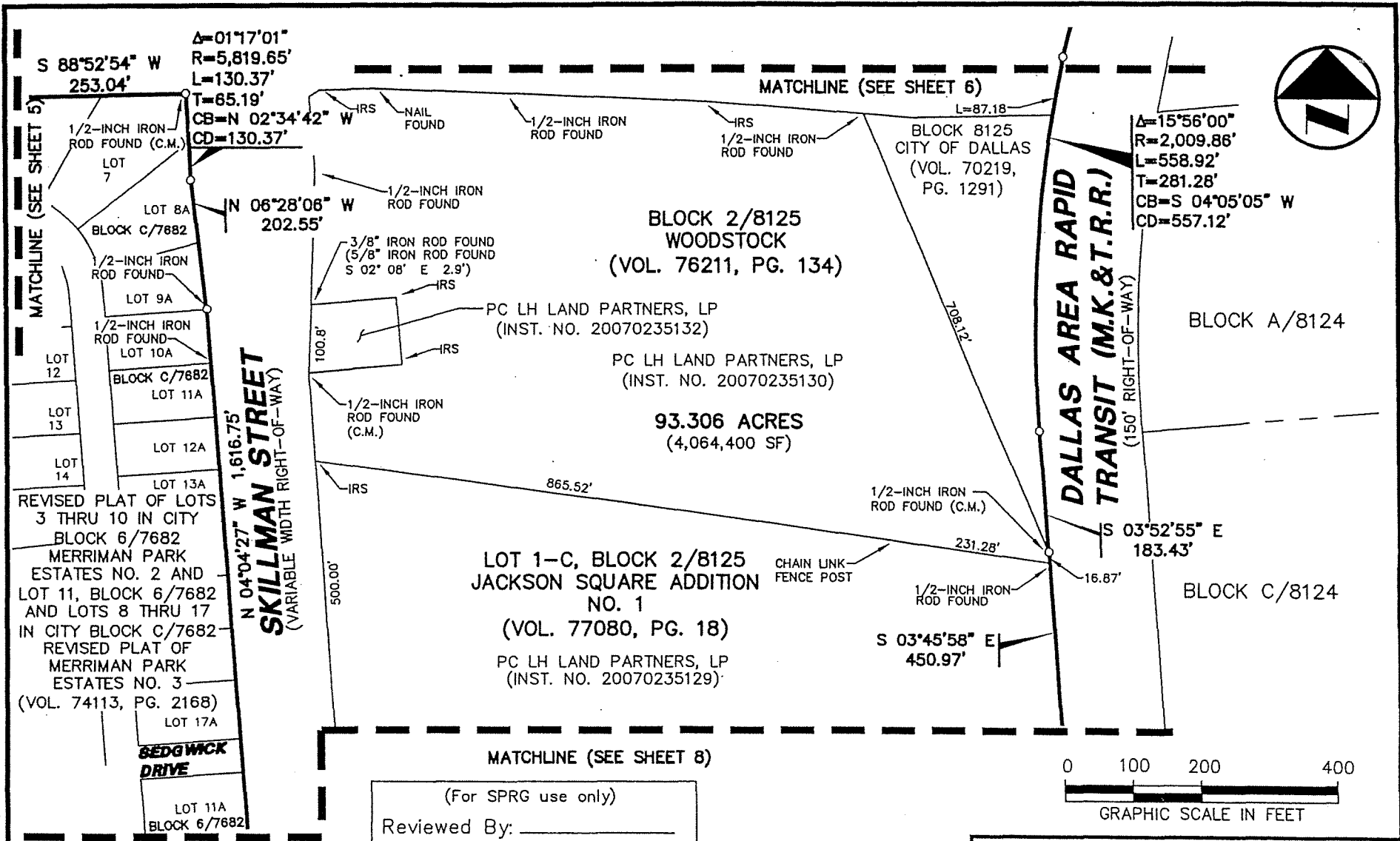
MSD BOUNDARY

LAKE HIGHLANDS TOWN CENTER
BLOCK 8125, BLOCK 1/8125,
BLOCK 2/8125 AND BLOCK C/8130
AND BEING OUT OF THE
W.P. WYCHE SURVEY, ABSTRACT NO. 1522
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 6 OF 8

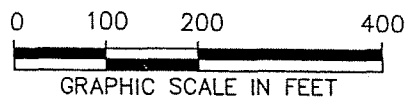
Pacheco Koch Consulting Engineers
8350 N. CENTRAL EXPWY. SUITE 1000 DALLAS, TX. 75206 972.235.3031

| | | | | |
|-----------------|-------------------|------------------|----------------------|---------------------------|
| DRAWN BY KCH | CHECKED BY MLL | SCALE 1"=200' | DATE OCTOBER 2007 | JOB NUMBER 2253-07.351 |
|-----------------|-------------------|------------------|----------------------|---------------------------|

M:\DWG-22\2253D-07.351\DWG\2253D.07.351BT.DWG



(For SPRG use only)
 Reviewed By: _____
 Date: _____
 SPRG NO: _____

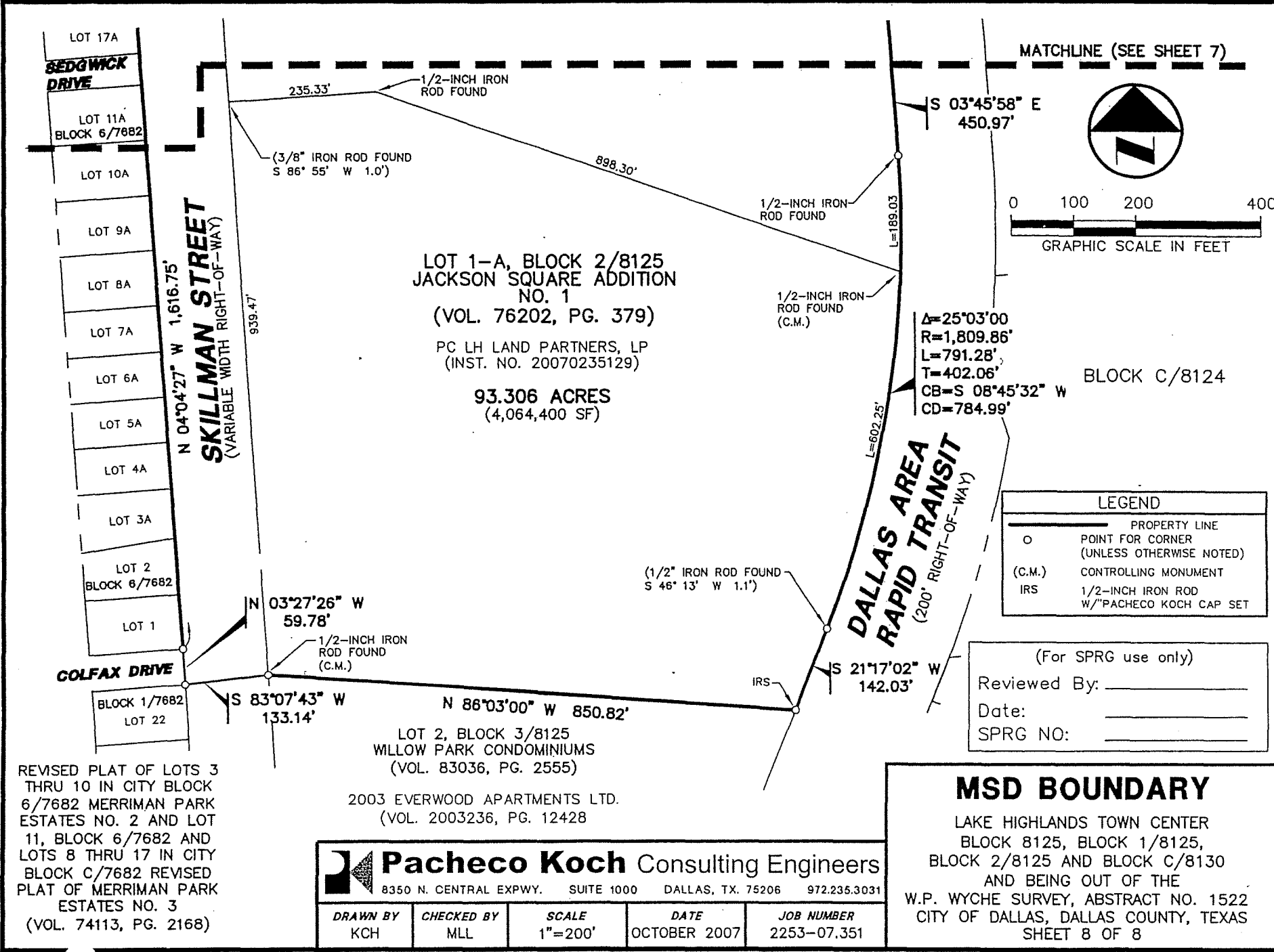


Pacheco Koch Consulting Engineers
 8350 N. CENTRAL EXPWY. SUITE 1000 DALLAS, TX. 75206 972.235.3031

| | | | | |
|------------------------|--------------------------|-------------------------|-----------------------------|----------------------------------|
| DRAWN BY KCH | CHECKED BY MLL | SCALE 1"=200' | DATE OCTOBER 2007 | JOB NUMBER 2253-07.351 |
|------------------------|--------------------------|-------------------------|-----------------------------|----------------------------------|

MSD BOUNDARY
 LAKE HIGHLANDS TOWN CENTER
 BLOCK 8125, BLOCK 1/8125,
 BLOCK 2/8125 AND BLOCK C/8130
 AND BEING OUT OF THE
 W.P. WYCHE SURVEY, ABSTRACT NO. 1522
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 SHEET 7 OF 8

M:\DWG-22\22530-07.351\DWG\22530-07.351BT.DWG



REVISED PLAT OF LOTS 3 THRU 10 IN CITY BLOCK 6/7682 MERRIMAN PARK ESTATES NO. 2 AND LOT 11, BLOCK 6/7682 AND LOTS 8 THRU 17 IN CITY BLOCK C/7682 REVISED PLAT OF MERRIMAN PARK ESTATES NO. 3 (VOL. 74113, PG. 2168)

LOT 1-A, BLOCK 2/8125 JACKSON SQUARE ADDITION NO. 1 (VOL. 76202, PG. 379)
 PC LH LAND PARTNERS, LP (INST. NO. 20070235129)
 93.306 ACRES (4,064,400 SF)

LOT 2, BLOCK 3/8125 WILLOW PARK CONDOMINIUMS (VOL. 83036, PG. 2555)

2003 EVERWOOD APARTMENTS LTD. (VOL. 2003236, PG. 12428)

Pacheco Koch Consulting Engineers
 8350 N. CENTRAL EXPWY. SUITE 1000 DALLAS, TX. 75206 972.235.3031

| | | | | |
|-----------------|-------------------|------------------|----------------------|---------------------------|
| DRAWN BY KCH | CHECKED BY MLL | SCALE 1"=200' | DATE OCTOBER 2007 | JOB NUMBER 2253-07.351 |
|-----------------|-------------------|------------------|----------------------|---------------------------|

MSD BOUNDARY
 LAKE HIGHLANDS TOWN CENTER
 BLOCK 8125, BLOCK 1/8125,
 BLOCK 2/8125 AND BLOCK C/8130
 AND BEING OUT OF THE
 W.P. WYCHE SURVEY, ABSTRACT NO. 1522
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 SHEET 8 OF 8

LEGEND

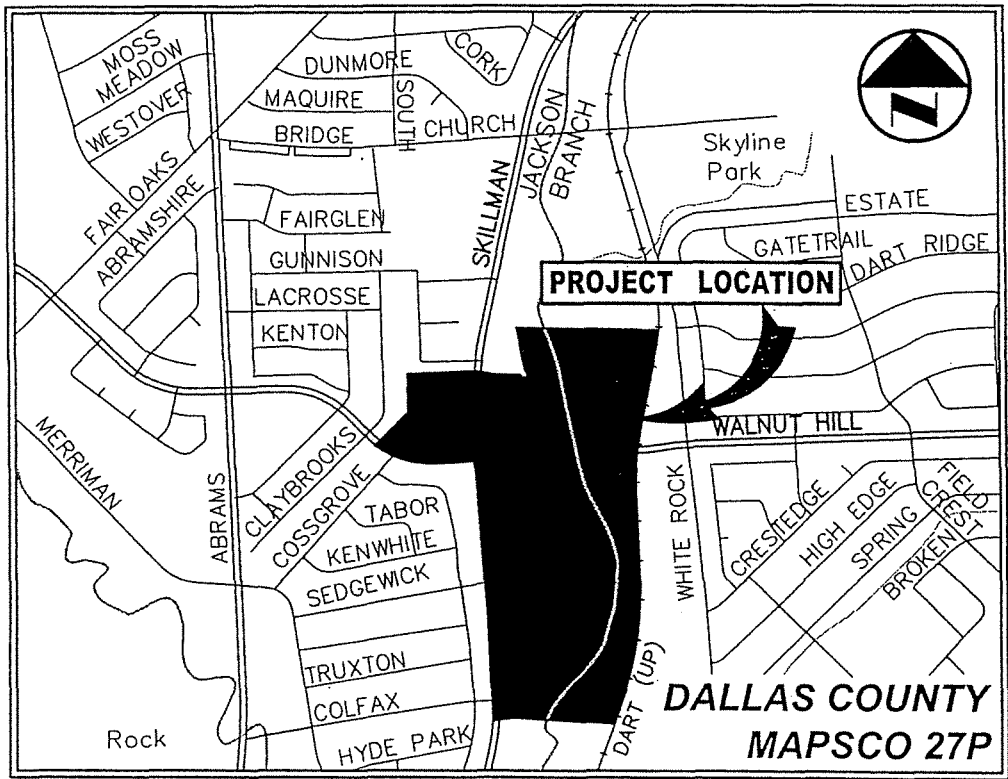
| | |
|--------|---|
| | PROPERTY LINE |
| | POINT FOR CORNER (UNLESS OTHERWISE NOTED) |
| (C.M.) | CONTROLLING MONUMENT |
| IRS | 1/2-INCH IRON ROD W/"PACHECO KOCH CAP SET |

(For SPRG use only)

Reviewed By: _____

Date: _____

SPRG NO: _____



VICINITY MAP
(NOT TO SCALE)

(For SPRG use only)
 Reviewed By: _____
 Date: _____
 SPRG NO: _____

Pacheco Koch Consulting Engineers
 8350 N. CENTRAL EXPWY. SUITE 1000 DALLAS, TX. 75206 972.235.3031

| DRAWN BY | CHECKED BY | SCALE | DATE | JOB NUMBER |
|----------|------------|-------|--------------|-------------|
| KCH | MLL | NONE | OCTOBER 2007 | 2253-07.351 |

MSD BOUNDARY
 LAKE HIGHLANDS TOWN CENTER
 BLOCK 8125, BLOCK 1/8125,
 BLOCK 2/8125 AND BLOCK C/8130
 AND BEING OUT OF THE
 W.P. WYCHE SURVEY, ABSTRACT NO. 1522
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

M:\DWG-22\2253D-07.351\DWG\2253D.07.351BT.DWG

MSD Boundary2.txt

Parcel name: MSD BOUNDARY

Curve North: 12200.1567 East : 9058.0297
Length: 1.23 Radius: 719.00
Delta: 0-05-52 Tangent: 0.61
Chord: 1.23 Course: S 56-51-10 E
Course In: N 33-11-46 E Course Out: S 33-05-54 W
RP North: 12801.8169 East : 9451.6868
End North: 12199.4841 East : 9059.0595
Line Course: N 44-19-51 E Length: 245.17
North: 12374.8583 East : 9230.3844
Line Course: N 00-06-29 W Length: 297.23
North: 12672.0878 East : 9229.8239
Line Course: N 87-59-46 E Length: 513.09
North: 12690.0292 East : 9742.6001
Line Course: S 79-31-12 E Length: 158.56
North: 12661.1883 East : 9898.5151
Line Course: S 88-01-40 E Length: 194.99
North: 12654.4778 East : 10093.3896
Curve Length: 100.86 Radius: 25.00
Delta: 231-09-15 Tangent: 52.23
Chord: 45.10 Course: N 54-33-32 E
Course In: N 80-08-09 E Course Out: N 28-58-54 E
RP North: 12658.7606 East : 10118.0200
End North: 12680.6297 East : 10130.1331
Curve Length: 13.42 Radius: 15.00
Delta: 51-15-38 Tangent: 7.20
Chord: 12.98 Course: N 35-23-17 W
Course In: N 28-58-54 E Course Out: S 80-14-33 W
RP North: 12693.7513 East : 10137.4010
End North: 12691.2116 East : 10122.6162
Line Course: N 09-45-27 W Length: 324.26
North: 13010.7809 East : 10067.6611
Line Course: S 88-40-05 E Length: 1153.73
North: 13002.9193 East : 10405.7797
Curve Length: 94.63 Radius: 1332.51
Delta: 4-04-09 Tangent: 47.34
Chord: 94.61 Course: S 10-03-09 W
Course In: N 81-58-55 W Course Out: S 77-54-47 E
RP North: 13169.8281 East : 9901.5958
End North: 12890.8052 East : 11204.5651
Line Course: S 12-05-17 W Length: 731.48
North: 12175.5443 East : 11051.3825
Line Course: S 13-51-01 W Length: 141.37
North: 12038.2847 East : 11017.5405
Curve Length: 558.92 Radius: 2009.86
Delta: 15-56-00 Tangent: 281.28
Chord: 557.12 Course: S 04-05-05 W
Course In: S 77-56-55 E Course Out: S 86-07-05 W
RP North: 11618.6482 East : 12983.1047
End North: 11482.5799 East : 10977.8560
Line Course: S 03-52-55 E Length: 183.43
North: 11299.5708 East : 10990.2744
Line Course: S 03-45-58 E Length: 450.97
North: 11282.7372 East : 10991.3825
Curve Length: 791.28 Radius: 1809.86
Delta: 25-03-00 Tangent: 402.06
Chord: 784.99 Course: S 08-45-32 W
Course In: S 86-14-02 W Course Out: S 68-42-58 E
Page 1

MSD Boundary2.txt

RP North: 10730.6963 East : 9213.9442
End North: 10073.7393 East : 10900.3601
Line Course: S 21-17-02 W Length: 142.03
North: 9941.3967 East : 10848.8047
Line Course: N 86-03-00 W Length: 850.82
North: 10000.0062 East : 10000.0058
Line Course: S 83-07-43 W Length: 133.14
North: 9984.0772 East : 9867.8221
Line Course: N 03-27-26 W Length: 59.78
North: 10043.7484 East : 9864.2172
Line Course: N 04-04-27 W Length: 1616.75
North: 11656.4127 East : 9749.3508
Line Course: N 06-28-06 W Length: 202.55
North: 11857.6733 East : 9726.5327
Curve Length: 130.37 Radius: 5819.65
Delta: 1-17-01 Tangent: 65.19
Chord: 130.37 Course: N 02-34-42 W
Course In: N 86-46-48 E Course Out: S 88-03-49 W
RP North: 12184.5632 East : 15536.9948
End North: 11987.9113 East : 9720.6680
Line Course: S 88-52-54 W Length: 253.04
North: 11982.9727 East : 9467.6762
Curve Length: 510.29 Radius: 819.00
Delta: 35-41-56 Tangent: 263.73
Chord: 502.07 Course: N 73-16-08 W
Course In: N 01-07-06 W Course Out: S 34-34-50 W
RP North: 12801.8167 East : 9451.6915
End North: 12127.5089 East : 8986.8607
Line Course: N 44-24-54 E Length: 101.70
North: 12200.1521 East : 9058.0355

Perimeter: 9955.10 Area: 4,064,399.5 SF 93.3058 ACRES

Mapcheck Closure - (Uses listed courses and chords)
Error Closure: 0.0074 Course: S 51-42-05 E
Error North: -0.00456 East : 0.00577
Precision 1: 1,335,481.08

B

| | | | |
|---|---------------------------|---------------------------------------|--|
| 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.
VCP No. 1560, SWR No. 72255, and IOP No. 639

| | | |
|---|---|---------------------------------------|
| 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? 02/07/2002 | <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.

C. R. Assets, Inc.

By: C. John Miller, IV

C. John Miller, IV
Applicant Signature

10/20/08
Date

Before me Linda M. Pisco the undersigned authority, on this day personally appeared
Name of Notary

C.R. Assets, Inc. By C. John Miller, IV and signed this Municipal Setting Designation Application.
Name of Applicant

Sworn, subscribed and signed before me in the County of Suffolk, State of MA, on the 21st day of October, this month of October, 2008

TCEQ-20149 June 2007

