

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 17, 2014

Mr. Kristian T. Teleki, Senior Vice President
CCH Lamar Partners I, LP
1660 S. Stemmons Freeway, Suite 100
Lewisville, Texas, 75067

RE: Municipal Setting Designation (MSD) Certificate for CCH Lamar Partners I, L.P., Tract I at 840 S. Lamar Street and Tract II at 503 S. Griffin Street, Dallas, Dallas County; MSD No. 256

Dear Mr. Teleki:

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) 239-2236 or via e-mail (Alayna.Goetsch@TCEQ.Texas.gov).

Sincerely,

A handwritten signature in cursive script that reads "Alayna M. Goetsch".

Alayna M. Goetsch, Project Manager
VCP-CA Section
Remediation Division

AMG/jdm

Enclosure: MSD Certificate No. 256

cc: Ms. Xiaohong Wang, P.G., 2424 Stutz Drive STE 200, Dallas, TX, 75235
Mr. Sam Barrett, Waste Program Manager, TCEQ Region 4 Office,
Dallas/Ft Worth

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, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 256, in the City of Dallas, 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 ordinance or restrictive covenant required by Texas Health and Safety Code §361.8065 remains 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 16th day of September, 20 14

Beth Seaton

Beth Seaton, Director
Texas Commission on Environmental Quality

LEGAL DESCRIPTION

DESIGNATED PROPERTY
MUNICIPAL SETTING DESIGNATION BOUNDARY

2.9089 Acres in City of Dallas Block 429 and Part of S. Lamar Street and
2.9956 Acres in City of Dallas Block 428 and Part of Memorial Drive and Griffin Street
John Neely Bryan Survey, Abstract No. 149
City of Dallas, Dallas County, Texas

TRACT 1

BEING a tract of land situated in the John Neely Bryan Survey, Abstract No. 149, City of Dallas, Dallas County, Texas, and being a part of City Block 429, said tract being all called 0.9877 acre tract conveyed to CCH Lamar Partners I, L.P. by deed recorded in County Clerk Instrument No. 20080066032, Deed Records of Dallas County, Texas, and all of a called 2.2754 acre tract of land conveyed to CCH Lamar Partners I, L.P. by deed recorded in County Clerk Instrument No. 20070426170, Deed Records of Dallas County, Texas and part of the right of way for Lamar Street and being more particularly described as follows (the bearing basis for this description is a bearing of N 75°00'00" E for the southeast line of Memorial Drive as indicated in the deed to Ronald A. Weisfeld recorded in Volume 93100, Page 5628, Deed Records of Dallas County, Texas.):

COMMENCING at a found TXDOT monument for a corner, said point being at the intersection of the southwest line of Lamar Street with the northwest line of Interstate Highway 30, and said point being the east corner of Lot 1, Block A/419 of Dallas Convention Center Expansion Addition as recorded in Volume 93248, Page 4820, Deed Records of Dallas County, Texas; Thence, N 49°37'09" W, with the southwest line of S. Lamar Street, a distance of 15.23 feet to the Point of Beginning;

THENCE, N 49°37'09" W, with the southwest line of S. Lamar Street and the northeast line of said Lot 1, Block A/419, a distance of 344.36 feet to a point for a corner;

THENCE, N 40°22'51" E, crossing the right of way of Lamar Street, a distance of 82.76 feet to a found PK Nail for a corner in the northeast line of S. Lamar Street, said point being in the southwest line of the said 2.2754 acre tract and the south corner of a tract of land conveyed to the City of Dallas by deed recorded in the Deed Records of Dallas County;

THENCE, N 16°58'21" W, departing the northeast line of S. Lamar Street and with the northeast line of the said City of Dallas tract, a distance of 45.14 feet to a fence post for a corner;

LEGAL DESCRIPTION - TRACT 1 (continued)

THENCE, N 30°01'39" E, with the southeast line of the said City of Dallas tract, a distance of 79.43 feet a found ½ inch iron rod for a corner, said point being the northwest corner of the said 2.2754 acre tract and the southwest corner of a tract of land called Parcel No. OC1-7 as conveyed to Dallas Area Rapid Transit (DART) by deed recorded in Volume 94022, Page 5655, Deed Records of Dallas County, Texas;

THENCE, N 76°57'22" E, departing the southeast line of said City of Dallas tract and with the south line of said DART Parcel OC1-7, a distance of 39.64 feet to a found "X" cut on pavement at the beginning of a non-tangent curve to the right with a central angle of 16°56'38", a radius of 645.00 feet, a chord bearing of N 88°41'46" E and a chord distance of 190.05 feet;

THENCE Northeasterly, continuing with the south line of said DART Parcel No. OC1-7, and along said curve, an arc distance of 190.75 feet to a found ½ inch iron rod for a corner at the east corner of said DART Parcel No. OC1-7, and lying in the south line of a tract of land identified as Parcel No. OC1-5 in deed to the Dallas Area Rapid Transit (DART) recorded in Volume 94029, Page 4071, Deed Records, Dallas County, Texas, and said point the beginning of a non-tangent curve to the right with a central angle of 08°09'56", a radius of 1,146.28 feet, a chord bearing of S 74°59'05" E and a chord distance of 163.22 feet;

THENCE Southeasterly, with the south line of said DART Parcel No. OC1-5 and along said curve, passing at an arc distance of 140.41 feet a found ½ inch iron rod for a corner, said point being the northwesterly corner of the said 0.0806 acre tract, continuing in all an arc distance of 163.36 feet to a found 5/8 inch iron rod for a corner at the west corner of a tract of land called Parcel No. OC1-4 as conveyed to Dallas Area Rapid Transit (DART) by deed recorded in Volume 94126, Page 524, Deed Records of Dallas County, Texas, and said point the beginning of a non-tangent curve to the right with a central angle of 06°16'41", a radius of 645.00 feet, a chord bearing of S 64°34'36" E and a chord distance of 70.64 feet;

THENCE, Southeasterly, continuing with the south line of said DART Parcel No. OC1-5 and along said curve, an arc distance of 70.68 feet to a found 5/8 inch iron rod for a corner;

THENCE, S 57°34'51" E, continuing with the south line of said DART Parcel No. OC1-5, a distance of 127.94 feet to a found 5/8 inch iron rod for a corner in the northwest line of Interstate Highway 30;

LEGAL DESCRIPTION - TRACT 1 (continued)

THENCE, the following courses and distances with the northwest line of Interstate Highway 30:

- S 59°16'57" W, a distance of 5.45 feet to a found 5/8 inch iron rod for a corner at the common east corner of the said 0.0806 acre tract and the said 0.8778 acre tract;
- S 40°27'29" W, a distance of 213.04 feet to a found "x" cut on concrete pavement for a corner;
- S 47°04'20" W, a distance of 150.74 feet to the Point of Beginning and Containing 173,600 square feet or 3.9853 acres of land.

LEGAL DESCRIPTION – TRACT 2

BEING a tract of land situated in the John Neely Bryan Survey, Abstract No. 149, City of Dallas, Dallas County, Texas, and being a part of City Block 428, said tract being all of a called 0.9877 acre tract conveyed to CCH Lamar Partners I, L.P. by deed recorded in County Clerk Instrument No. 20080066032, Deed Records of Dallas County, Texas, and part of the right of way for Memorial Drive and S. Griffin Street and being more particularly described as follows (the bearing basis for this description is a bearing of N 75°00'00" E for the southeast line of Memorial Drive as indicated in the deed to Ronald A. Weisfeld recorded in Volume 93100, Page 5628, Deed Records of Dallas County, Texas.):

BEGINNING at a found "x" cut on concrete pavement for a corner at the intersection of the southwest line of S. Griffin Street (a variable width right of way) with the northwest line of Interstate Highway 30 (R. L. Thornton Freeway, a variable width right of way), said point being in the northeast line corner of a tract of land called Parcel No. OC1-5 as conveyed to of Dallas Area Rapid Transit (DART) by deed recorded in Volume 94029, Page 4071, Deed Records of Dallas County, Texas, said point the beginning of a curve to the left with a central angle of 05°36'00", a radius of 1,171.28 feet, a chord bearing of N 62°27'42" W and a chord distance of 114.43 feet;

LEGAL DESCRIPTION - TRACT 2 (continued)

THENCE, Northwesterly, with the northeast line of DART Parcel No. OC1-5 and along said curve, an arc distance of 114.48 feet to a found 5/8 inch iron rod for a corner, said point being the east corner of a called 4,350 square feet tract of land called Parcel No. OC1-6 as conveyed to Dallas Area Rapid Transit by deed recorded in Volume 94126, Page 628, Deed Records of Dallas County, Texas;

THENCE, the following courses and distances with the northeast line of the said DART Parcel No. OC1-6:

- N 56°14'39" W, , a distance of 11.73 feet to a found 5/8 inch iron rod for a corner;
- N 61°52'32" W, a distance of 44.53 feet to a found 5/8 inch rod at the beginning of a curve to the left with a central angle of 30°58'44", a radius of 681.50 feet, a chord bearing of N 77°23'53" W and a chord distance of 364.77 feet;
- Northwesterly, along said curve, an arc distance of 369.27 feet to found PK nail for a corner in the east line of a tract of land conveyed to the City of Dallas by deed recorded in Volume 91083, Page 3845, Deed Records of Dallas County, Texas and said point lying in the common line of said Block 429 and Block A/428;

THENCE, N 14°59'12" W, with the said City of Dallas tract and Block line, a distance of 75.08 feet to a found ½ inch iron rod in the southeast line of Memorial Drive (variable width right of way), said point being the northwest corner of the said 0.9877 acre tract;

THENCE, N15°00'00"W, crossing Memorial Drive, a distance of 100.12 feet to a point for a corner in the northwest line of Memorial Drive;

THENCE, N 75°00'00" E, with the northwest line of Memorial Drive, passing at the distance of 53.17 feet the west corner of a circular right of way clip at the intersection of the northwest line of Memorial Drive with the southwest line of S. Griffin Street (a variable width right of way), continuing across the right of way of S. Griffin Street, in all a distance of 216.85 feet to a point for a corner in the northeast line of S. Griffin Street, said point the beginning of a non-tangent curve to the left with a central angle of 30°22'55", a radius of 400.00 feet, a chord bearing of S 56°33'48" E and a chord distance of 209.63 feet;

LEGAL DESCRIPTION - TRACT 2 (continued)

THENCE, the following courses and distances with the northeast line of S. Griffin Street:

- Southeasterly, along said curve, an arc distance of 212.11 feet to the point of tangency;
- S 71°45'15" E, a distance of 200.05 feet to the beginning of a tangent curve to the right with a central angle of 02°39'23", a radius of 1,201.45 feet, a chord bearing of S 70°25'34" E and a chord distance of 55.70 feet;
- Southeasterly, along said curve, an arc distance of 55.70 feet to the beginning of a reverse curve to the left with a central angle of 06°59'59", a radius of 632.50 feet, a chord bearing of S 72°35'52" E and a chord distance of 77.22 feet;
- Southeasterly, along said curve, an arc distance of 77.27 feet to a point for a corner;
- S 66°11'50" E, a distance of 18.91 feet to a point for a corner;
- S 89°05'30" E, a distance of 34.87 feet to a point for a corner at the intersection of the north line of S. Griffin Street with the northwest line of Interstate Highway 30;

THENCE, the following courses and distances with the northwest line of Interstate Highway 30:

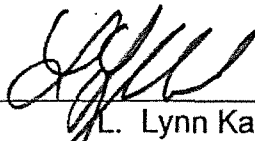
- S 51°10'52" W, crossing the right of way of S. Griffin Street, a distance of 177.08 feet to a point for a corner;
- S 47°10'52" W, continuing across the right of way of S. Griffin Street, a distance of 82.29 feet to Point of Beginning and Containing 130,491 square feet or 2.9957 acres of land.

(The bearing basis for this survey is a bearing of N 75°00'00" E for the southeast line of Memorial Drive as indicated in the deed to Ronald A. Weisfeld by deed recorded in Volume 93100, Page 5628, Deed Records of Dallas County, Texas.)

SURVEYOR'S CERTIFICATION

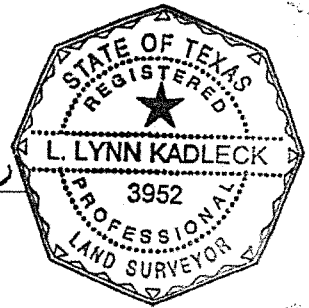
The undersigned hereby certifies the legal description hereon is accurate and was prepared from an on ground survey performed in October 2007 through January 2008, under the supervision of the undersigned, and using information from the surrounding property deeds.

Dated: May 29, 2008
Job No.: 2962-MSD



June 7, 2010

L. Lynn Kadleck
Registered Professional
Land Surveyor No. 3952

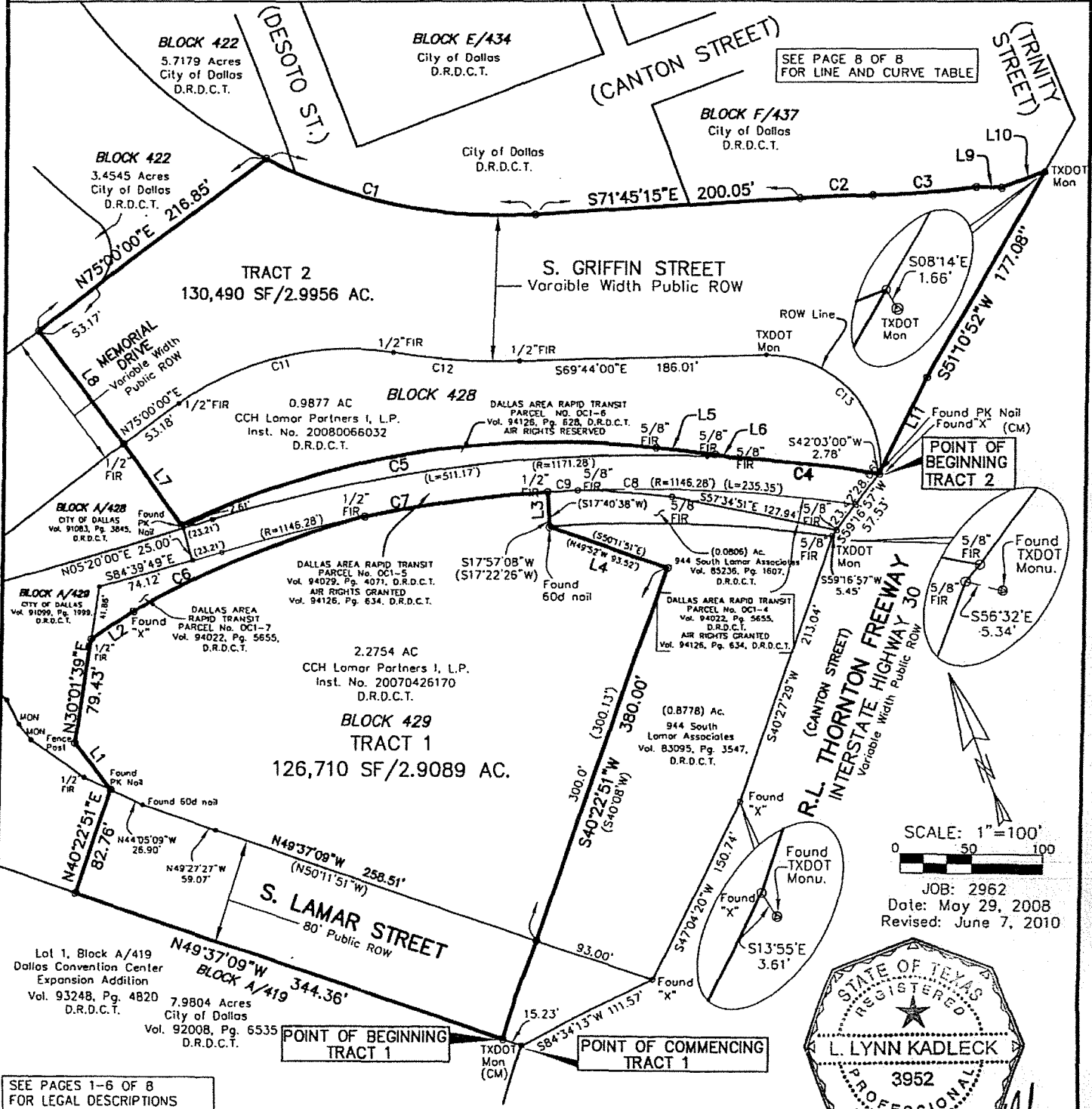


REVISED: March 7, 2009: Revised drawing and legal description to delete DART property.

REVISED: May 15, 2009: Revised drawing and legal description for Tract 1.

REVISED: June 7, 2010: Create letter size exhibits of drawing and legal descriptions.

DESIGNATED PROPERTY
MUNICIPAL SETTING DESIGNATION BOUNDARY
 2.9089 Acres in City of Dallas Block 429 and Part of S. Lamar Street and
 2.9956 Acres in City of Dallas Block 428 and Part of S. Griffin Street and Memorial Drive
 John Neely Bryan Survey, Abstract No. 149,
 City of Dallas, Dallas County, Texas



SEE PAGE 8 OF 8
FOR LINE AND CURVE TABLE

POINT OF
BEGINNING
TRACT 2

Found PK Nail
Found "X" (CM)

Found TXDOT
Monu.

Found TXDOT
Monu.

Found TXDOT
Monu.

Found TXDOT
Monu.

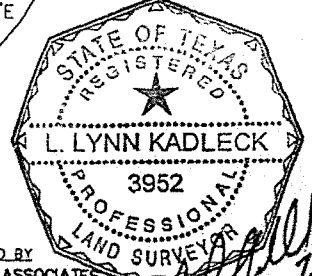
Found TXDOT
Monu.

Found TXDOT
Monu.

Found TXDOT
Monu.

SCALE: 1"=100'
0 50 100

JOB: 2962
Date: May 29, 2008
Revised: June 7, 2010



SEE PAGES 1-6 OF 8
FOR LEGAL DESCRIPTIONS
AND CERTIFICATION OF
EVEN SURVEY DATE HEREWITH

BEARING BASIS IS N75°00'00"E
SOUTHEAST LINE OF MEMORIAL DRIVE
DEED IN VOLUME 93100, PAGE 5628, D.R.D.C.T.

LEGEND
 FIR Found Iron Rod
 CM Controlling Monument
 () Deed Call

PREPARED BY
KADLECK & ASSOCIATES
 ENGINEERING PLANNING SURVEYING
 255 TRAVELER DR., SUITE 115 PHOENIX, ARIZONA
 (972) 881-0771 75074
 TSP Reg. No. T-6420/TPS Reg. No. 100555-00

DESIGNATED PROPERTY

MUNICIPAL SETTING DESIGNATION BOUNDARY

2.9089 Acres in City of Dallas Block 429 and Part of S. Lamar Street and
 2.9956 Acres in City of Dallas Block 428 and Part of S. Griffin Street and Memorial Drive
 John Neely Bryan Survey, Abstract No. 149,
 City of Dallas, Dallas County, Texas

LINE AND CURVE TABLES

NUM	BEARING	DISTANCE
L1	N16°58'21"W	45.14'
L2	N76°57'22"E	39.64'
L3	S17°25'33"W	25.33'
L4	S49°37'09"E	93.97'
L5	N61°52'32"W	44.53'
L6	N56°14'39"W	11.73'
L7	N14°59'12"W	75.08'
L8	N15°00'00"W	110.12'
L9	S66°11'50"E	18.91'
L10	S89°05'30"E	34.87'
L11	S47°10'52"W	82.29'

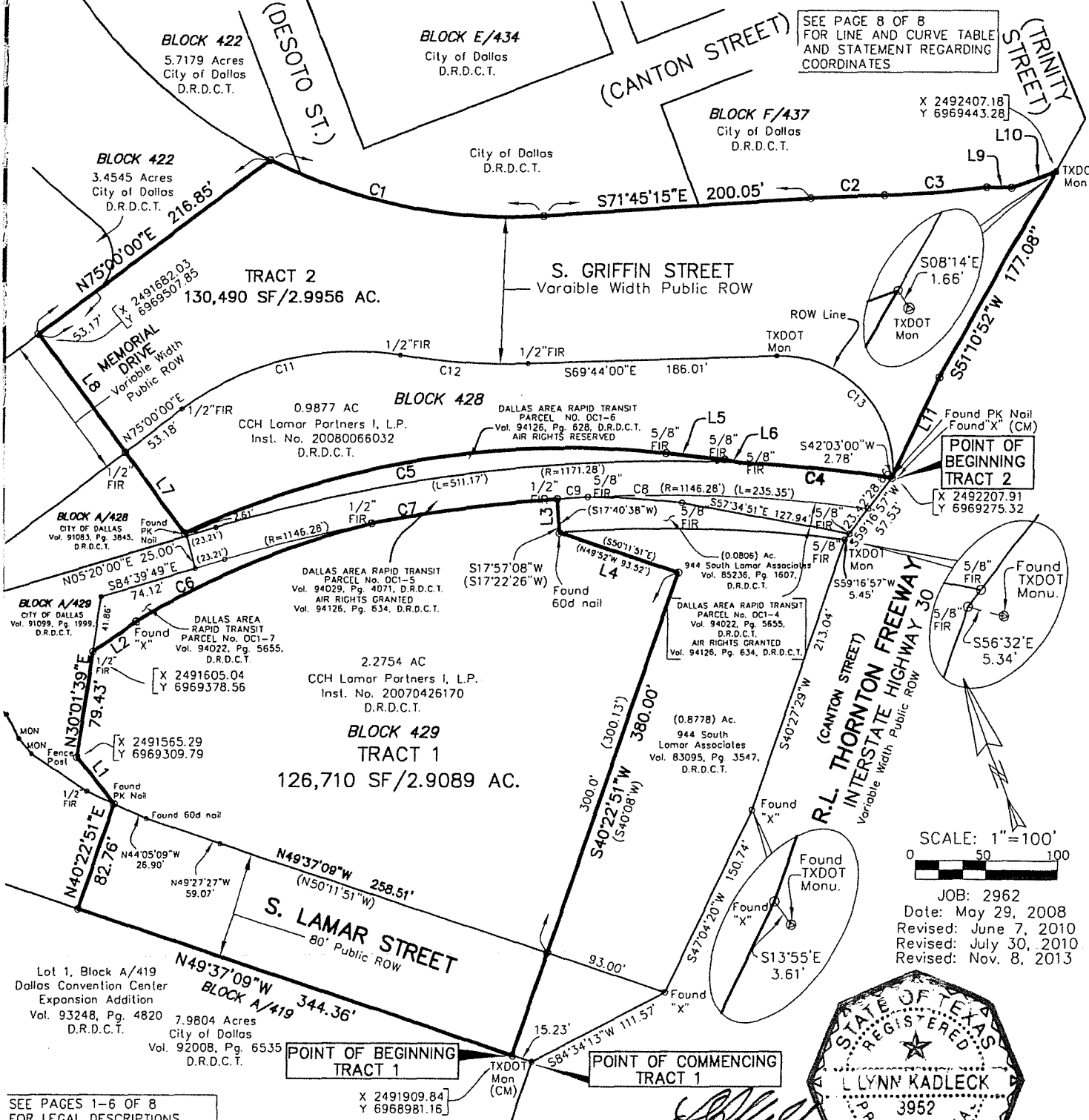
NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	46°08'00"	172.40'	214.11'	S81°56'00"E	167.78'
C2	10°52'00"	96.73'	510.00'	S64°18'00"E	96.58'
C3	93°18'51"	139.33'	85.55'	S23°04'35"E	124.43'
C4	05°36'00"	114.48'	1171.28'	N62°27'42"W	114.43'
C5	31°02'44"	369.27'	681.50'	N77°23'53"W	364.77'

**TCEQ APPLICATION FOR MUNICIPAL SETTING DESIGNATION
SUPPORTING INFORMATION**

TAB 3B

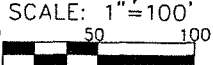
SURYVEY WITH GPS COORDINATES

**DESIGNATED PROPERTY
MUNICIPAL SETTING DESIGNATION BOUNDARY**
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2.9956 Acres in City of Dallas Block 428 and Part of S. Griffin Street and Memorial Drive
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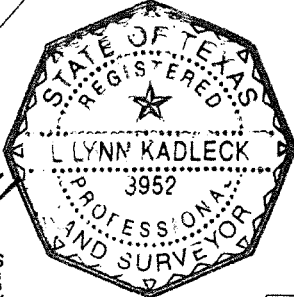


SEE PAGE 8 OF 8
FOR LINE AND CURVE TABLE
AND STATEMENT REGARDING
COORDINATES

POINT OF BEGINNING TRACT 2
X 2492207.91
Y 6969275.32



JOB: 2962
Date: May 29, 2008
Revised: June 7, 2010
Revised: July 30, 2010
Revised: Nov. 8, 2013



SEE PAGES 1-6 OF 8
FOR LEGAL DESCRIPTIONS
AND CERTIFICATION OF
EVEN SURVEY DATE HEREWITH

BEARING BASIS IS N75°00'00"E
SOUTHEAST LINE OF MEMORIAL DRIVE
DEED IN VOLUME 93100, PAGE 5628, D.R.D.C.T.

POINT OF BEGINNING TRACT 1
X 2491909.84
Y 6968981.16

POINT OF COMMENCING TRACT 1

LEGEND
FIR Found Iron Rod
CM Controlling Monument
() Deed Call

PREPARED BY
KADLECK & ASSOCIATES
ENGINEERING PLANNING SURVEYING
2000 N. CENTRAL EXPY. SUITE 113
(972) 881-0771 PLANO, TX 75074
TSPE Reg. No. T-6420/IBSLS Reg. No. 100555-00

DESIGNATED PROPERTY
MUNICIPAL SETTING DESIGNATION BOUNDARY
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L5	N61°52'32"W	44.53'
L6	N56°14'39"W	11.73'
L7	N14°59'12"W	75.08'
L8	N15°00'00"W	110.12'
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L10	S89°05'30"E	34.87'
L11	S47°10'52"W	82.29'

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	30°22'55"	212.11'	400.00'	S56°33'48"E	209.63'
C2	02°39'23"	55.70'	1201.45'	S70°25'34"E	55.70'
C3	06°59'59"	77.27'	632.50'	S72°35'52"E	77.22'
C4	05°36'00"	114.48'	1171.28'	N62°27'42"W	114.43'
C5	31°02'44"	369.27'	681.50'	N77°23'53"W	364.77'
C6	16°56'38"	114.48'	645.00'	N89°16'28"E	190.05'
C7	07°01'05"	140.41'	1146.28'	S75°33'25"W	140.32'

The coordinates shown on Page 7 were scaled from the North Central Council of Governments maps which is based on the Texas State Plane, North Central Zone. The horizontal datum is NAD 83.

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared KRISTIAN TELEKI, as an authorized representative of CCH Lamar Partners I, L.P., known to me to be the person whose name is subscribed below who being by me first duly sworn, upon their oath, stated as follows:

I am over the age of 18 and legally competent to make this affidavit. I have personal knowledge of the facts stated herein.

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

- The MSD eligibility criteria of THSC Section 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 has been 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.

Kristian Teleki
Signature

Date: 05/01/14

KRISTIAN TELEKI
Printed Name

SR. VICE PRESIDENT
Title

STATE OF Texas
COUNTY OF Benton



SUBSCRIBED AND SWORN before me on this the 1st day of May 2014, to which witness my hand and seal of office.

April Rhodes
Notary Public in and for the State of Texas