

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

February 19, 2015

Mr. Robert Witsell, Brownfields Project Manager
GE Corporate Environmental Programs
1935 Redmond Circle
Rome, Georgia 30165

RE: Municipal Setting Designation (MSD) Certificate for GE Corporate
Environmental Programs, 1490 W Cardinal Drive; MSD No. 264

Dear Mr. Witsell:

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) 239-2032 or via e-mail (Trevor.andres@TCEQ.Texas.gov).

Sincerely,

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

Trevor Andres, Project Manager
VCP-CA Section
Remediation Division

TA/jdm

Enclosure: MSD Certificate No. 264

cc: Ms. Marilyn Gates, Waste Section Manager, TCEQ Region 10 Office,
Beaumont

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. 264, in the City of Beaumont, 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 19th day of February, 20 15

Beth Seaton

Beth Seaton, Director
Texas Commission on Environmental Quality

EXHIBIT "A"

Legal Description: 1.6990 Acre Tract or Parcel of Land
Out of and Part of Block 116
Gladys City Oil, Gas and Manufacturing Company Subdivision
Volume 1, Page 55, Map Records
John A. Veatch Survey, Abstract No. 55
Beaumont, Jefferson County, Texas

BEING a 1.6990 acre tract or parcel of land situated in the John A. Veatch Survey, Abstract No. 55, Jefferson County, Texas and being out of and part of Block 116 of the Gladys City Oil, Gas and Manufacturing Company Subdivision, a subdivision of the City of Beaumont, Jefferson County, Texas, according to the plat thereof, recorded in Volume 1, Page 55, Map Records, Jefferson County, Texas and being all of that certain tract of land as described in a "Warranty Deed" from Robert S. Folsom and wife, Margaret D. Folsom to General Electric Company as recorded in Volume 2113, Page 92, Jefferson County, Texas, said 1.6990 acre tract being more particularly described as follows:

NOTE: All bearings are referenced to the Northeasterly line of the said General Electric Company tract as SOUTH 27°35'00" EAST as recorded in the above referenced Volume 2113, Page 92, Jefferson County, Texas.

BEGINNING at an iron rod with a cap stamped "Soutex" found for the most Northerly corner of the tract herein described and being the most Easterly corner of that certain called 1.651 acre tract of land as described in a "Warranty Deed" from Jack R. Cook, Sr., Individually and as Trustee of the Shirley Hise Cook Trust, et al. to Charles K. Miller as recorded in Clerk's File No. 2005017192, Official Public Records of Real Property, Jefferson County, Texas and said corner being in the Southwesterly right-of-way line of Hagner Road and the Northeasterly line of the said Block 116;

THENCE SOUTH 27°35'00" EAST, along and with the Southwesterly right-of-way line of Hagner Road and the Northeasterly line of the said Block 116, for a distance of 312.30 feet to a 5/8" iron rod with a cap stamped "M.W. Whiteley & Associates" set for corner, said corner being the most Northerly corner of that certain called 0.374 acre tract of land as described in an "Assumption Deed" from Jimmy Gene Francis to Paul H. Leviner as recorded in Film Code No. 100-86-0360, Official Public Records of Real Property, Jefferson County, Texas, and said corner being the most Easterly corner of the said Block 116 and the most Northerly corner of Block 115 of the said Gladys City Oil, Gas and Manufacturing Company Subdivision and from said corner a "PK" nail in asphalt found for the Easterly corner of the said 0.374 acre Leviner tract bears SOUTH 27°35'00" EAST a distance of 186.74;

THENCE SOUTH 62°18'23" WEST, along and with the boundary between the tract herein described and the said 0.374 acre Leviner tract, the same being the common line between the said Blocks 115 and 116, for a distance of 174.60 feet to a punch hole set in concrete for corner, said corner being the most Westerly corner of the said 0.374 acre Leviner tract and in the

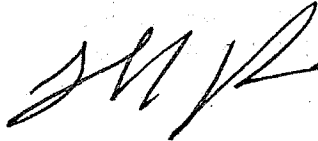
Northeasterly right-of-way line of U.S. Highway 69, 96 and 287 (also known as West Cardinal Drive)(formerly known as Loop 251);

THENCE NORTH 70°42'37" WEST, along and with the Northeasterly right-of-way line of U.S. Highway 69, 96 and 287, for a distance of 205.62 feet to an iron rod with a cap stamped "Soutex" found for corner, said corner being the most Southerly corner of the above referenced 1.651 acre Miller tract;

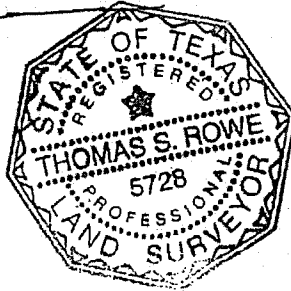
THENCE NORTH 18°57'47" EAST, along and with the boundary between the tract herein described and the said 1.651 acre Miller tract, for a distance of 236.37 feet to a 5/8" iron rod with a cap stamped "M.W. Whiteley & Associates" set for corner;

THENCE NORTH 62°25'00" EAST, continuing along and with the boundary between the tract herein described and the said 1.651 acre Miller tract, for a distance of 143.57 feet to the **POINT OF BEGINNING** and containing 1.6990 Acres, more or less.

Surveyed on June 4, 2014. This legal description is being submitted along with a plat based on this survey. (see EXHIBIT "B")



Thomas S. Rowe, RPLS No. 5728



TBPLS Firm No. 10106700

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SCALE 1"=80'

CALLED 1.651 ACRES
CHARLES K. MILLER
CF. NO. 2005017192
OPRJIC

POB

FND I. ROD W\CAP
STAMPED "SOUTEX"

(CALL N62°25'00"E 143.57')
L2

REFERENCE BEARING PER VOL. 2113, PG. 92, DRJC
FND (CALL S27°35'00"E 312.30')
FND S27°35'00"E 312.30'

SET 5/8"
I. ROD

(CALL N19°05'00"E 236.21')
FND N18°57'47"E 236.37'

BLOCK 116

FND 1.6990 ACRES
GENERAL ELECTRIC COMPANY
VOL. 2113, PG. 92
DRJC

GLADYS CITY OIL, GAS
AND MANUFACTURING
COMPANY SUBDIVISION
VOL. 1, PG. 55, MRJC

SET PUNCH HOLE
IN CONCRETE

FND I. ROD W\CAP
STAMPED "SOUTEX"

FND N70°42'37"W 205.62'
(CALL N70°55'00"W 206.50')

FND N70°42'37"W 255.40'
(CALL N71°01'06"W 255.40')

FND "PK"
NAIL

(CALL S62°25'00"W 173.67')
L1

BLOCK 115

CALLED 0.374 ACRES
PAUL H. LEVINER
FC. NO. 100-86-0360
OPRJIC

(CALL S27°42'25"E 186.03')
FND S27°35'00"E 186.74'

SET 5/8"
I. ROD

HAGNER ROAD

NOTE:
1. NOTHING IN THIS SURVEY IS INTENDED TO EXPRESS AN OPINION REGARDING OWNERSHIP OR TITLE.
2. THE WORD CERTIFY IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, FORMED IN THE COURSE OF HIS PERFORMING THE SURVEY IN COMPLIANCE WITH THE STANDARDS OF PRACTICE REQUIRED AND PROMULGATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS AND THE TEXAS SOCIETY OF PROFESSIONAL SURVEYORS. AS SUCH, IT CONSTITUTES NEITHER A GUARANTEE NOR A WARRANTY, EXPRESSED OR IMPLIED.
3. ALL SET 5/8" IRON RODS SET WITH CAPS STAMPED "M.W. WHITELEY & ASSOCIATES".
4. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF CURRENT TITLE COMMITMENT. BOUNDARY SURVEY ONLY, EASEMENTS, IF ANY, NOT RESEARCHED OR SHOWN, WITH THE EXCEPTIONS OF THOSE PLATTED.

CALLED 1.651 ACRES
CHARLES K. MILLER
CF. NO. 2005017192
OPRJIC

1490 WEST CARDINAL DRIVE
BEAUMONT, TEXAS 77705

1.6990 Acre Tract or Parcel of Land
Out of and Part of Block 116
Gladys City Oil, Gas and Manufacturing
Company Subdivision
Volume 1, Page 55, Map Records
Abandoned Portion of Gorman Street
J.A. Veatch Survey, Abstract No. 55
Beaumont, Jefferson County, Texas

ARCADIS U.S.

DR BY: CDD	SCALE: 1"=80'	SHEET No.: 1 of 1
VER: ACAD 2014	FILE: W:\2014\14-499\	REV: 0
JOB NO. 14-499	14-499.DWG	

MARK W. WHITELEY AND ASSOCIATES

CONSULTING ENGINEERS,
SURVEYORS, AND PLANNERS
T.E.P.L.S. FIRM NO. 10106700

P. O. BOX 6408
BEAUMONT, TEXAS 77706-6408
409-382-0421

SUO EASTEX PRTY.
BEAUMONT, TEXAS 77705
(FAX) 409-688-1544

SURVEY OF A
1.6990 ACRE TRACT OR
PARCEL OF LAND
JOHN A. VEATCH SURVEY
ABSTRACT NO. 55
BEAUMONT, JEFFERSON
COUNTY, TEXAS

TO THE OWNERS OF THE PREMISES SURVEYED
AS OF THE DATE OF THE SURVEY:

I, THOMAS S. ROWE, DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY
MADE ON THE SURFACE OF THE GROUND OF THE PROPERTY LEGALLY DESCRIBED
HEREON AND CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME
OF THE SURVEY.

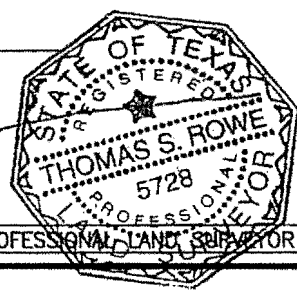
DATE SURVEYED: JUNE 4, 2014

U.S. HIGHWAY 69, 96 AND 287
(ALSO KNOWN AS WEST CARDINAL DRIVE)
(FORMERLY KNOWN AS LOOP 251)

EXHIBIT "B"
REFER TO EXHIBIT "A"
FOR LEGAL DESCRIPTION

LINE	BEARING	DISTANCE
L1	S62°18'23"W	174.60'
L2	N62°25'00"E	143.57'

Thomas S. Rowe



THOMAS S. ROWE - REGISTERED PROFESSIONAL LAND SURVEYOR No. 5728

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Robert Witsell, as an authorized representative of GE Corporate Environmental, 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.

Robert J. Witsell
Signature

Date: 6/25/14

Robert J. Witsell
Printed Name

Brownfield Project Manager
Title

STATE OF Georgia
COUNTY OF Floyd

SUBSCRIBED AND SWORN before me on this the 25th day of June 2014, to which witness my hand and seal of office.

Pamela Ann DaSilva
Notary Public in and for the State of Georgia