

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

June 29, 2015

Mr. Feargal McKinney, Member
Monk Corner, LLC
2841 and 2847 North Henderson Avenue
Dallas, TX 75206

Re: Municipal Setting Designation (MSD) Certificate for Feargal McKinney, Old Monk Corner, LLC, 2841 and 2847 North Henderson Avenue, Dallas, Dallas County, TX 75206; MSD No. 279; Customer No. CN604293571; Regulated Entity No. RN166657489

Dear Mr. McKinney:

The Texas Commission on Environmental Quality (TCEQ) received the above-referenced Municipal Setting Designation (MSD) application on April 13, 2015. Based on our review, the application contains the required information as outlined in Texas Health and Safety Code (THSC) §361.804. Enclosed is the Municipal Setting Designation Certification for your site. If you have any questions, please contact me at (512) 239-2378 or via e-mail (Michael.Duffin@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Duffin".

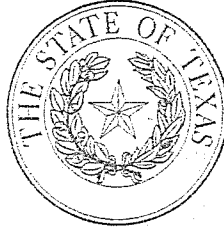
Mike Duffin, Ph.D., P.G.
VCP-CA Section
Remediation Division

MD/mdh

cc: Cynthia Bishop, C Bishop Law, P.O. Box 612994, Dallas, TX 75261
Sam Barrett, Waste Section Manager, TCEQ Region 4, Dallas/FW

Enclosure: MSD Certificate

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTINGS 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. 279 in the City 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 29th day of June, 2015

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

MSD SURVEY

*Adjacent to Lots 1-6, Block K/1997, Cochran Heights Annex
with portions of Pershing Avenue, Willis Avenue, Henderson Avenue, and a 10' Alley
City of Dallas, Dallas County, Texas
33,860 sq. ft. / 0.777 ac.*

BEING a 33,860 square foot tract of land situated in the John Grigsby Survey, Abstract No. 495 and the Jacob Hart Survey, Abstract No. 578, within the City of Dallas, Dallas County, Texas, being all of Lots 1 - 6, Block K/1997 of Cochran Heights Annex, recorded in Volume 5, Page 57, Map Records, Dallas County, Texas (M.R.D.C.T.), together with portions of Pershing Avenue, Willis Avenue, N. Henderson Avenue, and a 10' Alley, all being further described as follows:

BEGINNING at the northerly end of a circular corner clip at the intersection of the south line of said Willis Avenue and the northeasterly line of said N. Henderson Avenue, at the beginning of a curve to the left, having a radius of 11.50 feet and a chord which bears South 21°42'37" West, for 21.15 feet;

THENCE southwesterly, along said circular corner clip and said curve to the left, through a central angle of 133°44'00", for an arc distance of 26.84 feet to the northeasterly line of said N. Henderson Avenue;

THENCE South 45°09'23" East, along said northeasterly line, for a distance of 3.24 feet to the extended intersection of said northeasterly line with the extended southeasterly line of the aforementioned Lot 6;

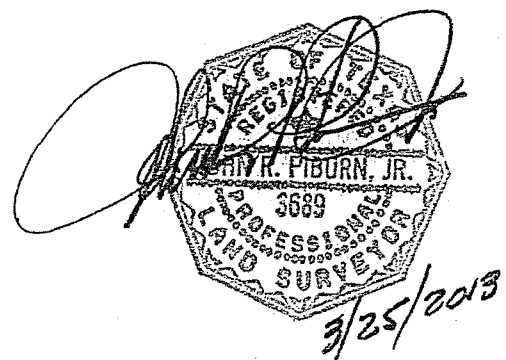
THENCE South 32°50'08" West, crossing the southwesterly line of said N. Henderson Avenue and an "X" cut in concrete found for the northeasterly corner of said Lot 6, and further passing a building corner at the southeasterly corner of said Lot 6, same being on the northeasterly line of a 10' Alley, for a distance of 167.10 feet to the southwesterly line of said 10' Alley;

THENCE North 56°59'16" West, along the southwesterly line of said 10' Alley, passing the northerly corner of Lot 12, Block I/1997, of the aforementioned Cochran Heights Annex, same being in the southeasterly line of aforementioned Pershing Avenue, and continuing to the northwesterly line of said Pershing Avenue, for a distance of 191.28 feet;

THENCE North 32°34'37" East, along said northwesterly line of Pershing Avenue, crossing aforementioned Willis Avenue, for a distance of 122.72 feet to the intersection of the northerly line of said Willis Avenue with the extended northwesterly line of said Pershing Avenue;

THENCE North 88°34'37" East, along the northerly line of said Willis Avenue, crossing the aforementioned N. Henderson Avenue, for a distance of 160.81 feet to the southerly end of a circular corner clip at the intersection of said northerly line with the aforementioned northeasterly line of said N. Henderson Avenue;

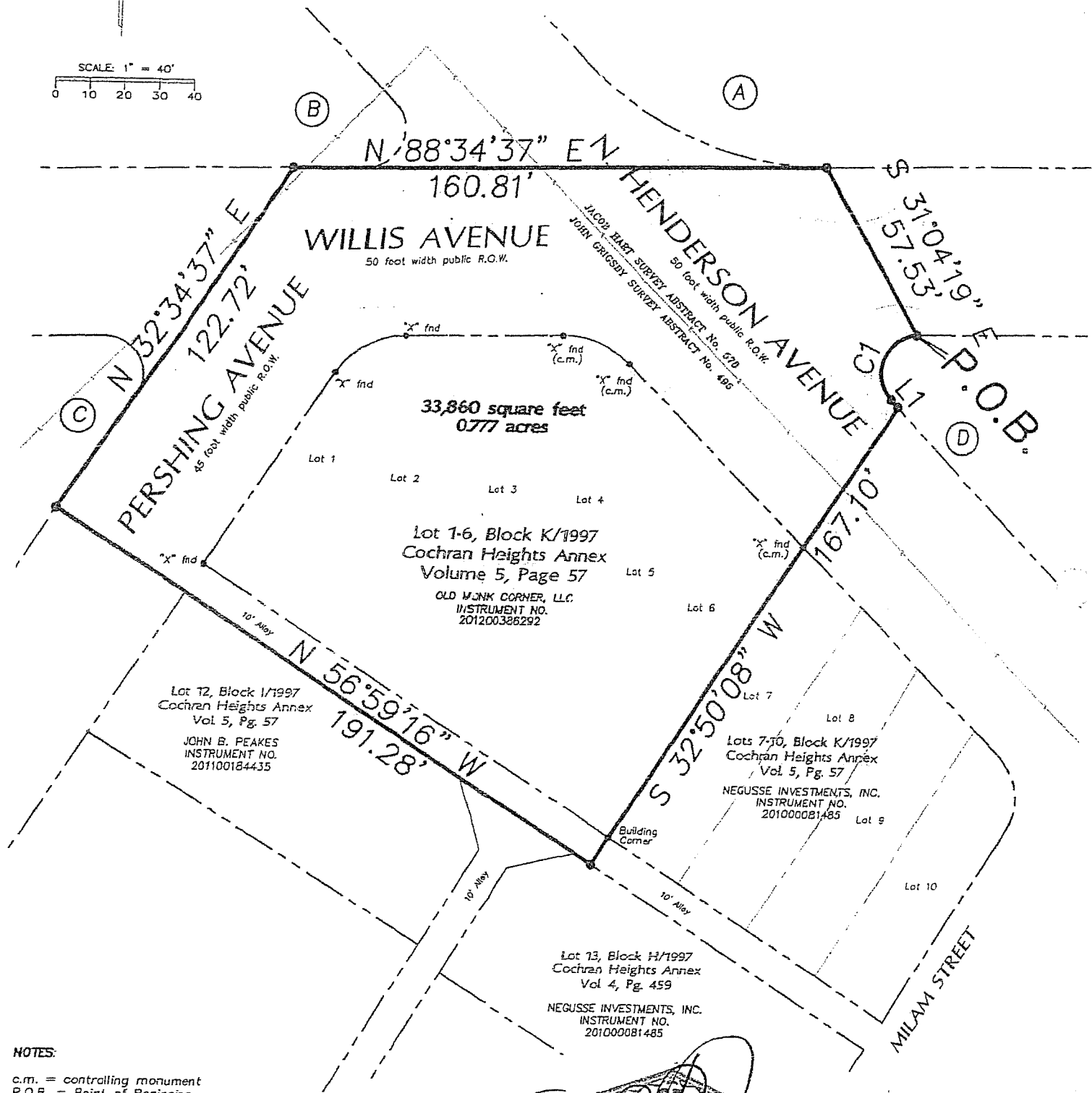
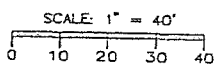
THENCE South 31°04'19" East, crossing said Willis Avenue, for a distance of 57.53 feet to the POINT OF BEGINNING, and containing 33,860 square feet, or 0.777 acres of land.



• Bearings are based upon State Plane Coordinates, Texas North Central Zone 4202, NAD 1983.

MSD SURVEY

Adjacent to Lots 1-6, Block K/1997, Cochran Heights Annex
with portions of Pershing Avenue, Willis Avenue, Henderson Avenue, and a 10' Alley
City of Dallas, Dallas County, Texas
33,860 sq. ft. / 0.777 ac.



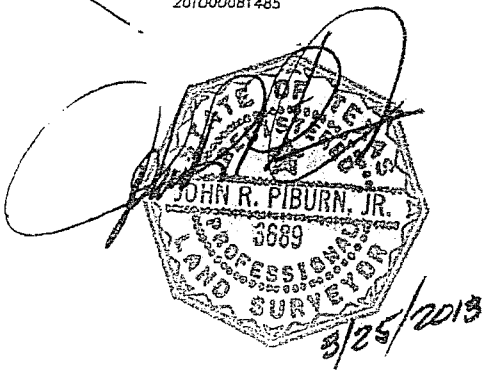
NOTES:

c.m. = contrasting monument
P.O.B. = Point of Beginning

(A) = property information (see sheet 3)

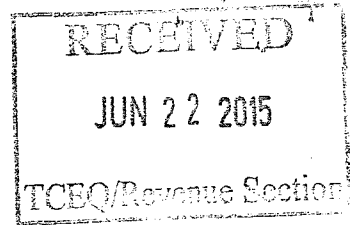
O.P.R.D.C.T. = Official Public Records of Dallas County, Texas
D.R.D.C.T. = Deed Records, Dallas County, Texas
M.R.D.C.T. = Map Records, Dallas County, Texas

Bearings are based upon State Plane Coordinates, Texas North Central Zone 4202, NAD 1983.



March 21, 2013
Project No. 13052
SHT. 2 of 3

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility



BEFORE ME, the undersigned authority, on this day personally appeared Feargal McKinney, as an authorized representative of Old Monk Corner LLC, 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:

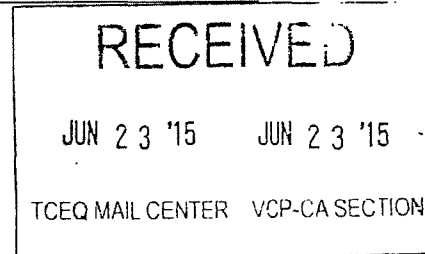
I am over the age of 18 and legally competent to make this affidavit. I have personal knowledge of the facts stated herein.

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.

Signature
Feargal McKinney
Printed Name
Managing Member
Title

Date: 1-21-2015



STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 21 day of Jan 2015, to which witness my hand and seal of office.

Notary Public in and for the State of Texas

