

Bryan W. Shaw, Ph.D., *Chairman*  
Carlos Rubinstein, *Commissioner*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 29, 2012

Ms. Molly Wratz, Environmental Project Manager  
QuikTrip Corporation  
4705 S. 129<sup>th</sup> East Ave  
Tulsa, Oklahoma 74134

RE: Municipal Setting Designation (MSD) Certificate for Proposed QuikTrip  
Southwest Corner of NE Loop 820 and Rufe Snow Drive, North Richland  
Hills, Dallas County, Texas; MSD No. 213

Dear Ms. Wratz:

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) 239-4940 or via e-mail ([pindy.lall@TCEQ.Texas.gov](mailto:pindy.lall@TCEQ.Texas.gov)).

Sincerely,

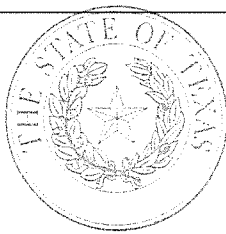
A handwritten signature in cursive script that reads "P Lall".

Pindy Lall, Project Manager  
VCP-CA Section  
Remediation Division

PL/jdm

Enclosure: MSD Certificate No. 213

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, Zak Covar, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation (MSD) for MSD No. 213, in the City of North Richland Hills, 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 institutional control required by Texas Health and Safety Code §361.8065 is maintained in effect.

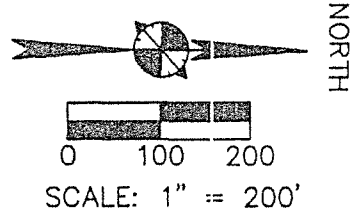
Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on Environmental Quality environmental remediation regulation, as modified by Texas Health and Safety Code §361.808.

EXECUTED this the 10<sup>th</sup> day of October, 2012

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

Zak Covar  
Executive Director  
Texas Commission on Environmental Quality

# EXHIBIT "A" M.S.D. SURVEY 16.081 ACRES

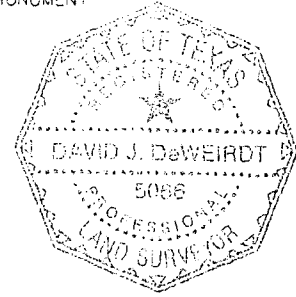


**\* NOTES \***

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF N.E. LOOP 820, BEING THE SAME AS RECORDED IN VOLUME 16079, PAGE 147, O.P.R.T.C.T.
2. A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.
3. THIS SURVEY REFLECTS THE BOUNDARY AND EXISTING BUILDINGS ONLY.

**\* LEGEND \***

OPRTCT	OFFICIAL PUBLIC RECORDS TARRANT COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
P.O.B	POINT OF BEGINNING
PKF	PK NAIL FCUND
BMON	BRASS MONUMENT
CIRF	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY + PARTNERS" FOUND
(CM)	CONTROL MONUMENT
CAB.	CABINET
SL	SLIDE
VOL.	VOLUME
PG.	PAGE



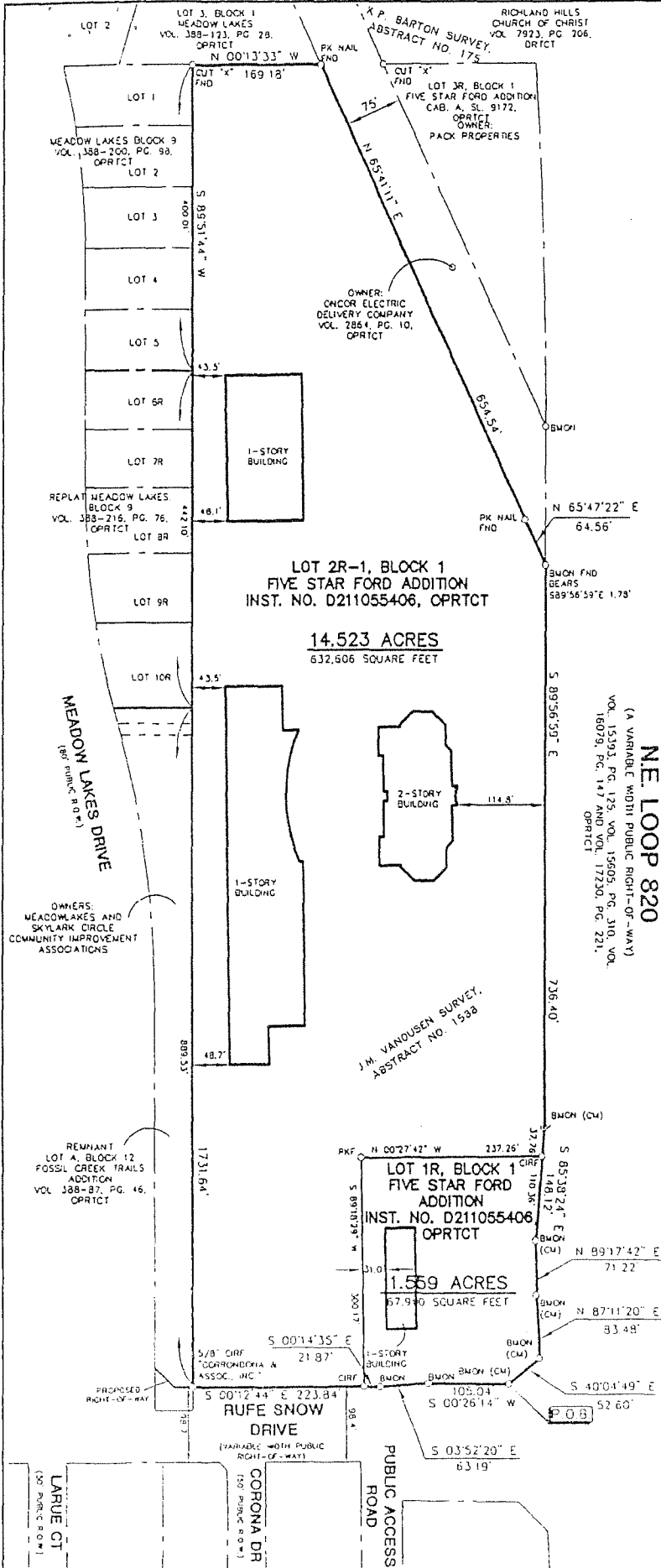
*David J. DeWeirdt*  
DATE

DAVID J. DEWEIRDT, R.P.L.S. DATE  
TEXAS REGISTRATION NO 5066

**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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TBPE No. F-1048

DATE: 6-23-11  
JOB NO. 30561-10  
DRAWN BY: RDR  
SHEET 3 OF 3



M.S.D. SURVEY  
PROPERTY DESCRIPTION

BEING A 16.081 ACRE TRACT OF LAND SITUATED IN THE J.M. VANDUSEN SURVEY, ABSTRACT NO. 1588, CITY OF NORTH RICHLAND HILLS, TARRANT COUNTY, TEXAS, BEING ALL OF LOT 1R AND LOT 2R-1, BLOCK 1 OF FIVE STAR FORD ADDITION, AN ADDITION TO THE CITY OF NORTH RICHLAND HILLS, ACCORDING TO THE PLAT THEREOF FILED FOR RECORD IN INSTRUMENT NUMBER D211055406, OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS, (O.P.R.T.C.T.), SAID 16.081 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) BRASS MONUMENT FOUND FOR THE SOUTHERLY END OF A CORNER CLIP AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF NORTHEAST LOOP 820, (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) WITH THE WESTERLY RIGHT-OF-WAY LINE OF RUFÉ SNOW DRIVE, (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY);

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING:

SOUTH 00°26'14" WEST, A DISTANCE OF 105.04 FEET TO A TXDOT BRASS MONUMENT FOUND FOR CORNER;

SOUTH 03°52'20" EAST, A DISTANCE OF 63.19 FEET TO A TXDOT BRASS MONUMENT FOUND FOR CORNER;

SOUTH 00°14'35" EAST, A DISTANCE OF 21.87 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY + PARTNERS" FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 1R;

SOUTH 00°12'44" EAST, A DISTANCE OF 223.84 FEET TO A 5/8-INCH IRON ROD WITH BLUE PLASTIC CAP STAMPED "GORRONDONA & ASSOC., INC" FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 2R-1 AND BEING IN THE NORTH LINE OF LOT A, BLOCK 12, FOSSIL CREEK TRAILS ADDITION, AN ADDITION TO THE CITY OF NORTH RICHLAND HILLS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-87, PAGE 46, O.P.R.T.C.T.;

THENCE SOUTH 89°51'44" WEST ALONG THE COMMON LINE OF SAID LOT 2R-1 AND SAID LOT A, AT A DISTANCE OF 889.53 FEET PASSING THE NORTHEAST CORNER OF LOT 10R, BLOCK 9, REPLAT MEADOW LAKES, BLOCK 9, AN ADDITION TO THE CITY OF NORTH RICHLAND HILLS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-216, PAGE 76, O.P.R.T.C.T., CONTINUING ALONG THE COMMON LINE OF SAID LOT 2R-1 AND SAID REPLAT MEADOW LAKES, BLOCK 9 AT A DISTANCE OF 1331.63 FEET PASSING THE NORTHWEST CORNER OF LOT 6R, BLOCK 9 OF SAID REPLAT MEADOW LAKES, BLOCK 9 SAME BEING THE NORTHEAST CORNER OF LOT 5, BLOCK 9, MEADOW LAKES, BLOCK 9, AN ADDITION TO THE CITY OF NORTH RICHLAND HILLS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-200, PAGE 98, O.P.R.T.C.T., CONTINUING ALONG THE COMMON LINE OF SAID LOT 2R-1 AND SAID MEADOW LAKES, BLOCK 9, IN ALL FOR A DISTANCE OF 1731.64 FEET TO A CUT "X" FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 2R-1, THE NORTHWEST CORNER OF LOT 1, BLOCK 9, OF SAID MEADOW LAKES, AND BEING IN THE EAST LINE OF LOT 3, BLOCK 1,

MEADOW LAKES, AN ADDITION TO THE CITY OF NORTH RICHLAND HILLS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-123, PAGE 28, O.P.R.T.C.T.;

THENCE NORTH 00°13'33" WEST ALONG THE COMMON LINE OF SAID LOT 2R-1 AND SAID LOT 3, A DISTANCE OF 169.18 FEET TO A PK NAIL FOUND FOR MOST WESTERLY NORTHWEST CORNER OF SAID LOT 2R-1, THE NORTHEAST CORNER OF SAID LOT 3 AND BEING IN THE SOUTHEASTERLY LINE OF 75-FOOT WIDE RIGHT-OF-WAY DESCRIBED IN DEED TO TEXAS ELECTRIC SERVICE COMPANY RECORDED IN VOLUME 2864, PAGE 10, O.P.R.T.C.T.;

THENCE NORTH 65°41'11" EAST ALONG THE COMMON LINE OF SAID LOT 2R-1 AND SAID TEXAS ELECTRIC SERVICE COMPANY RIGHT-OF-WAY, A DISTANCE OF 654.54 FEET TO A PK NAIL FOUND FOR CORNER;

THENCE NORTH 65°47'22" EAST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 64.56 FEET TO THE POINT OF INTERSECTION OF SAID COMMON LINE WITH THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF NORTHEAST LOOP 820;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING:

SOUTH 89°56'59" EAST AT A DISTANCE OF 1.78 FEET PASSING A TXDOT BRASS MONUMENT FOUND, CONTINUING IN ALL FOR A DISTANCE OF 736.40 FEET TO A TXDOT BRASS MONUMENT FOUND FOR CORNER;

SOUTH 85°38'24" EAST, A DISTANCE OF 148.12 FEET TO A TXDOT BRASS MONUMENT FOUND FOR CORNER;

NORTH 89°17'42" EAST, A DISTANCE OF 71.22 FEET TO A TXDOT BRASS MONUMENT FOUND FOR CORNER;

NORTH 87°11'20" EAST, A DISTANCE OF 83.48 FEET TO A TXDOT BRASS MONUMENT FOUND FOR CORNER;

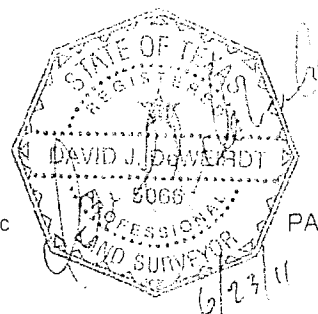
SOUTH 40°04'49" EAST, A DISTANCE OF 52.60 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPUTED AREA OF 700,506 SQUARE FEET OR 16.081 ACRES OF LAND.

NOTES:

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

*BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF N.E. LOOP 820, BEING THE SAME AS RECORDED IN VOLUME 16079, PAGE 147, O.P.R.T.C.T.*



# Exhibit B

## Municipal Setting Designation

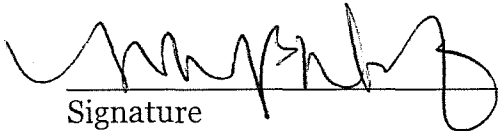
### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Ms. Molly Wratz, as an authorized representative of QuikTrip Corporation, 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

Date: 4/14/12

Molly Wratz  
Printed Name  
Environmental Project Manager  
Title

STATE OF Oklahoma  
COUNTY OF Tulsa

SUBSCRIBED AND SWORN before me on this the 10<sup>th</sup> day of April 2012, to which witness my hand and seal of office.

Laura A. Thompson  
Notary Public in and for the State of Oklahoma

