

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

April 18, 2013

Mr. Kenneth H. Bruder, Manager
1500 Dragon Street Associates, Ltd.
4131 Centurion Way
Addison, TX 75001

RE: Municipal Setting Designation (MSD) Certificate for 1500 Dragon Street
Property located at 1500 Dragon Street, Dallas, Dallas County, Texas;
MSD No. 226

Dear Mr. Bruder:

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) 239-3044 or via e-mail (Mark.Riggle@TCEQ.Texas.gov).

Sincerely,

A handwritten signature in cursive script that reads "Mark R. Riggle".

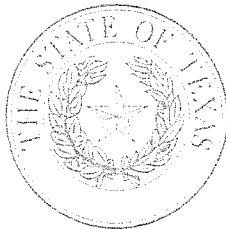
Mark R. Riggle, P.G., Project Manager
VCP-CA Section
Remediation Division

MRR/jdm

Enclosure: MSD Certificate No. 226

cc: Mr. Frank Clark, W&M Environmental Group, Plano, Texas
Mr. Sam Barrett, Waste Section Manager, TCEQ Region 4 Office,
Dallas/Fort Worth

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



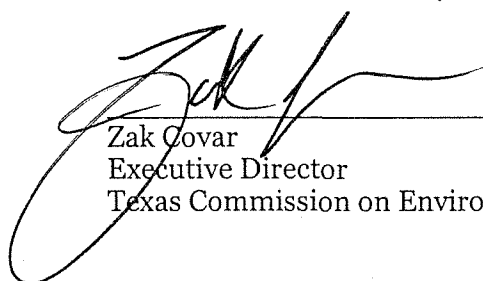
MUNICIPAL SETTING DESIGNATION CERTIFICATE

As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Zak Covar, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation (MSD) for MSD No. 226, 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 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 10th day of April, 2013



Zak Covar
Executive Director
Texas Commission on Environmental Quality

MUNICIPAL SETTING DESIGNATION SURVEY
MCKINNEY AND WILLIAM SURVEY, ABSTRACT NO. 1052
CITY OF DALLAS BLOCK 6851, DALLAS COUNTY, TEXAS

LEGAL DESCRIPTION

BEING a 281,077 square feet (6.45 acre) tract of land situated in the McKinney and William Survey, Abstract No. 1052 in the City of Dallas Block 6851, Dallas County, Texas, and being all of a tract of land conveyed to 1500 Dragon Street Associates, Ltd., a Texas limited partnership by special warranty deed recorded in Volume 2000060, Page 04283, Deed Records, Dallas County, Texas, and being the adjoining portion of Dragon Street (a 80 foot right-of-way), and being more particularly described by metes and bounds as follows:

Beginning at a point for corner in the Southwest line of said Dragon Street, and being in the Northeast line of Lot 55, Block 6/6836, Trinity Industrial District, 2nd Installment, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 10, Page 95, Map Records, Dallas County, Texas, said point being South 58 degrees 18 minutes 40 seconds West, a distance of 80.00 feet from the South corner of said 1500 Dragon Street Associates, Ltd. tract;

Thence North 31 degrees 41 minutes 20 seconds West, along the Northeast line of said Trinity Industrial District, 2nd Installment, Block 6/6836, a distance of 358.87 feet to a point for corner, said point being in a tangent curve to the right having a radius of 2,618.06 feet, a delta of 05 degrees 58 minutes 40 seconds, and a chord that bears North 28 degrees 42 minutes 00 seconds West, a distance of 273.02 feet;

Thence continuing along the Northeast line of said Trinity Industrial District, 2nd Installment, Block 6/6836 and along said curve to the right, an arc length of 273.15 feet to a point for corner;

Thence North 25 degrees 42 minutes 40 seconds West, continuing along the Northeast line of said Trinity Industrial District, 2nd Installment, Block 6/6836, a distance of 68.85 feet to a point for corner;

Thence North 58 degrees 18 minutes 40 seconds East, traversing said Dragon Street, passing an "X" found at a distance of 80.44 feet marking the most Western South corner of a tract of land conveyed to Oak Lawn Design Partners, L.P., a Texas limited partnership by deed recorded in Volume 96102, Page 2717, Deed Records, Dallas County, Texas, and continuing along the most Western Southeast line of said Oak Lawn Design Partners, L.P. tract for a total distance of 350.60 feet to a 1/2 inch iron rod found at an interior ell corner of said Oak Lawn Design Partners, L.P. tract;

Thence South 31 degrees 41 minutes 20 seconds East, along the most Eastern Southwest line of said Oak Lawn Design Partners, L.P. tract, a distance of 242.78 feet to a 5/8 inch iron rod found at an exterior ell corner of said Oak Lawn Design Partners, L.P. tract;

Thence North 58 degrees 18 minutes 40 seconds East, along the most Eastern Southeast line of said Oak Lawn Design Partners, L.P. tract, a distance of 84.44 feet to a 1/2 inch iron rod found in the Southwest line of a tract of land conveyed to David and Shelley Stevens by deed recorded in Instrument No. 20070068070, Official Public Records, Dallas County, Texas;

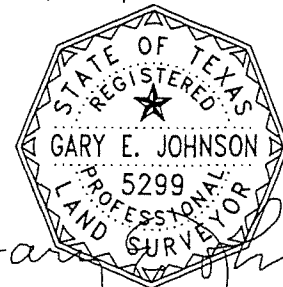
Thence South 23 degrees 17 minutes 50 seconds East, along the Southwest line of said Stevens tract, and along the Southwest line of a tract of land conveyed to O.B. English by deed recorded in Volume 69058, Page 1785, Deed Records, Dallas County, Texas, and along the Southwest line of a tract of land conveyed to Gerald Tomlin, Jr. by deed recorded in Volume 97034, Page 4466, Deed Records, Dallas County, Texas, and along the most Northern Southwest line of a tract of land conveyed to Dragon Property Fund, Ltd., a Texas limited partnership by deed recorded in Volume 2000064, Page 04493, Deed Records, Dallas County, Texas, a distance of 462.17 feet to a point for corner making an interior ell corner of said Dragon Property Fund, Ltd. tract, from which a 1/2 inch iron rod found as witness bears North 67 degrees 52 minutes 27 seconds East, a distance of 0.42 feet;

Thence South 58 degrees 18 minutes 40 seconds West, along the Northwest line of said Dragon Property Fund, Ltd. tract, passing the West corner of said Dragon Property Fund, Ltd. tract at a distance of 308.99 feet, and continuing across said Dragon Street for a total distance of 388.99 feet to the Point of Beginning and containing 281,077 square feet or 6.45 acres of land.

TEXAS HERITAGE LLC.

10610 Metric Drive, Suite 124
Dallas, TX 75243
Office 214-340-9700
Fax 214-340-9710
txheritage.com

JOB # 1101353-1
DATE: 06/22/2011
SCALE 1" = 100'
PAGE 1 OF 2



Gary E. Johnson

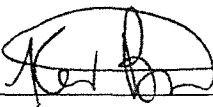
Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Kenneth H. Bruder, as an authorized representative of
1500 Dragon Street Associates, Ltd., 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: 2/25/13

Kenneth H. Bruder

Printed Name
Manager

Title

STATE OF Texas

COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 25TH day of
FEBRUARY ~~2014~~ 2013, to which witness my hand and seal of office.
Prajakti Rao

Notary Public in and for the State of Texas

