

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 8, 2010

Mr. Steve Roosth, Manager
Vine Street, LLC
3310 South Broadway, Suite 200
Tyler, Texas 75701

RE: Municipal Setting Designation (MSD) Certificate for Vine Street Center, 1604
South Vine Street; MSD No. 121

Dear Mr. Roosth:

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) 239-2960 or via e-mail (rgoldsmi@tceq.state.tx.us).

Sincerely,

A handwritten signature in black ink, appearing to read "R. Stuart Goldsmith".

R. Stuart Goldsmith, Project Manager
VCP-CA Section
Remediation Division

RSG/jdm

Enclosure

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, Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for MSD No. 121, in the City of Tyler, 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 5th day of January, 2010

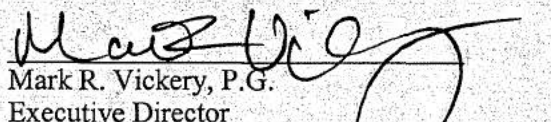

Mark R. Vickery, P.G.
Executive Director
Texas Commission on Environmental Quality

Exhibit "A"

JOHN COWAN & ASSOCIATES, INC.
Registered Professional Land Surveyors

A. W. Osborn, RPLS, PLS
Terry D. Cowan, RPLS, PLS
Mark C. Ellis, RPLS, PLS
Philip W. Comett, RPLS
C. H. McGaughey, Jr., RPLS

.2012 Anthony Drive
Tyler, Texas 75701
903.581.2238 Fax 903.561.0600
email: jcowaninc@jcowaninc.com

John Cowan (1914-1985)
Frank Cowan (1944-1984)

FIELD NOTE DESCRIPTION FOR VINE STREET, LLC
Glenwood Heights Addition and Jim Negem's Subdivision No. 4
New City Block 660-J, City of Tyler, Smith County, Texas

All that certain lot, tract or parcel of land, a part of Lots 21 and 26 and all of Lots 22, 23, 24 and 25 of Glenwood Heights Addition as shown by plat recorded in Volume 281, Page 481 of the Deed Records and being part of Lots 28 and 29 of Jim Negem's Subdivision, Unit No. 4 as shown by plat recorded in Cabinet A, Slide 160-B of the Plat records, and part of New City Block 660-J to the City of Tyler, also being described in a deed conveyed to Vine Street, LLC from Steven C. Roosth, Trustee on the 6th day of February, 2002 with an effective date of January 1st, 2002 and recorded in Volume 6238, Page 21 and a tract conveyed to Vine Street, LLC from M. M. Mitchell Family Partnership, LP on the 16th day of November, 2001 and recorded in Volume 6103, Page 295 of the Official Public Records of Smith County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a ½" iron rod found for corner in the South line of Lot 29 at the Southwest corner of a called 0.285 acre tract conveyed to Tyler Alarms, Inc., from Bessie L. Watson et al on the 15th day of November, 2000 and recorded in Volume 5562, Page 244, and being in the North right of way line of West Fifth Street (50.0' right of way width) and being South 88 deg. 17 min. 42 sec. West - 77.76 ft., from a ½" iron rod found at the Southeast corner of said 0.285 acre tract and Lot 30 and being at the intersection of the North right of way line of West Fifth Street with the West right of way line of Talley Avenue;

THENCE South 88 deg. 31 min. 28 sec. West, with the South lines of said Lots 29 and 28 and the North right of way line of West Fifth Street for a distance of 48.55 ft., to a ½" iron rod found for the Southeast corner of a called 0.4210 acre tract conveyed to Glass Oil Co., Inc., from Tenneco Oil Company on the 2nd day of May, 1966 and recorded in Volume 1195, Page 77 and being North 88 deg. 21 min. 50 sec. East - 128.12 ft., from a P. K. Nail found in an "X" cut in concrete at the East corner of a called 0.005 acre tract conveyed to the State of Texas from Glass Oil Company, Inc., on the 11th day of August, 2000 and recorded in Volume 5434, Page 13;

THENCE North 01 deg. 40 min. 06 sec. West, with the East line of said 0.4210 acre tract for a distance of 142.13 ft., to a 3/8" iron rod found for the Northeast corner of same;

THENCE South 88 deg. 19 min. 54 sec. West, with the North line of said 0.4210 acre tract for a distance of 106.17 ft., to a ½" iron rod set for the Northwest corner of same and being in the West line of Lot 21 and the East right of way line of Vine Avenue (100.0' right of way width), from which a P. K. Nail found in an "X" cut in concrete at the North corner of a said 0.005 acre tract bears South 15 deg. 25 min. 44 sec. West - 127.70 ft.;

THENCE North 15 deg. 25 min. 44 sec. East, with the West line of Lot 21 and the East right of way line of Vine Avenue for a distance of 5.10 ft., to a ½" iron rod set for the P. C. of a curve to the right;

THENCE in a northeasterly direction with the West lines of Lots 21, 22 and 26 and continuing with the East right of way line of Vine Avenue and said curve to the right with an Angle of 06 deg. 31 min. 38 sec., and a Radius of 2814.79 ft., for an Arc Length of 320.67 ft., Chord is North 18 deg. 41 min. 33 sec. East - 320.49 ft., to a P. K. Nail set for the South corner of a called 0.011 acre tract conveyed to the State of Texas from M. M. Mitchell Family Partnership, L.P. on the 28th day of February, 2000 and recorded in Volume 5219, Page 297;

THENCE North 65 deg. 03 min. 06 sec. East, with the East line of the above mentioned 0.011 acre tract for a distance of 38.88 ft., to a P. K. Nail set for the East corner of same in the North line of Lot 26 and the South right of way line of Glenwood Boulevard (110.0' right of way width);

THENCE South 53 deg. 43 min. 57 sec. East, with the North lines of Lots 26 and 25 and the South right of way line of Glenwood Boulevard for a distance of 79.81 ft., to a P. K. Nail set for the P. C. of a curve to the left;

THENCE in a southeasterly direction with the North lines of Lots 25, 24 and 23 and continuing with the South right of way line of Glenwood Boulevard and said curve to the left with an Angle of 07 deg. 55 min. 36 sec., and a Radius of 697.00 ft., for an Arc Length of 96.43 ft., Chord is South 58 deg. 02 min. 33 sec. East - 96.35 ft., to a ½" iron pipe found for a P.R.C.;

THENCE in a southeasterly direction with the North line of Lot 23 and continuing with the South right of way line of Glenwood Boulevard and said curve to the right with an Angle of 101 deg. 37 min. 51 sec., and a Radius of 25.00 ft., for an Arc Length of 44.34 ft., Chord is South 17 deg. 55 min. 49 sec. East - 38.76 ft., to a ½" iron pipe found for the P.T. of said curve and being in the East line of Lot 23 and the West right of way line of Talley Avenue (50.0 ft., right of way width);

THENCE South 18 deg. 07 min. 36 sec. West, with the East lines of Lots 23, 22 and 21 and the West right of way line of Talley Avenue for a distance of 191.61 ft., to a ½" iron rod found for the Northeast corner of said 0.285 acre tract;

THENCE North 72 deg. 13 min. 56 sec. West, with the North line of said 0.285 acre tract for a distance of 88.39 ft., to a ½" iron rod found for the Northwest corner of same;

THENCE South 01 deg. 44 min. 29 sec. East, with the West line of said 0.285 acre tract for a distance of 172.50 ft., to the place of beginning and containing **1.601 acres of land.**

Bearings are oriented to the Texas State Plane Coordinate System, North Central Zone, NAD 1983.

I, Mark C. Ellis, Registered Professional Land Surveyor No. 4254, do hereby certify that the above field noted description was prepared from an actual survey made on the ground under my direction and supervision during March, 2009.

GIVEN UNDER MY HAND & SEAL, this the 12th day of March, 2009.



Mark C. Ellis

Registered Professional Land Surveyor No. 4254

09-070

1151/55

Exhibit "B"

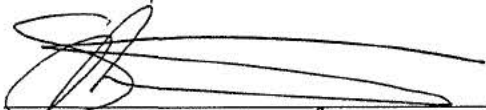
| | | | |
|---|--------------------------------------|---------------------------------------|---------------------------------------|
| c) each retail public utility, as defined by Texas Water Code, §13.002, that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries? | <input checked="" type="radio"/> Yes | <input type="radio"/> No ³ | <input type="radio"/> NA ⁴ |
| ³ Do not submit application. | | | |
| ⁴ NA only when no such municipality, private well owner, or retail public utility exists | | | |

MSD Information:

| | | |
|--|---|---------------------------------------|
| List all existing TCEQ and US Environmental Protection Agency registration, permit, identification numbers (e.g., SWR No., VCP No., LPST ID No., UIC Registration No., PWS ID. No.), if any, that apply to the groundwater contamination situation within the proposed MSD boundary. State "none" if none applicable. TCEQ VCP No. 1451 | | |
| Is the proposed designated groundwater contaminated in excess of an applicable potable water ⁵ use standard (i.e., 30 TAC 350, ^{GW} GW _{ing})? | <input checked="" type="radio"/> Yes | <input type="radio"/> No ⁶ |
| Was the groundwater contamination previously reported to the TCEQ? (To support implementation of HB 3030, 78 th Legislature.) | <input checked="" type="radio"/> Yes, when? 3 / 6 / 06 | <input type="radio"/> No |
| Is there a potable-use well within the boundary of the proposed MSD that uses the designated groundwater as source water? | <input type="radio"/> Yes ⁶ | <input checked="" type="radio"/> No |
| Is there a potable-use well within the boundary of the proposed MSD that uses a deeper groundwater zone for the source water that is not properly sealed off from the designated groundwater? | <input type="radio"/> Yes ⁶ | <input checked="" type="radio"/> No |
| Is the applicant aware of any non-consumptive use of the groundwater or other human health or ecological exposure pathways that are of concern? If yes, specify: | <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| Has each municipality and retail public utility identified in §361.8065 provided firm commitment to adopt an ordinance or resolution in support of the application? | <input checked="" type="radio"/> Yes | <input type="radio"/> No ⁶ |
| Is a copy of the ordinance or restrictive covenant that restricts consumptive use and appropriately restricts other uses of and contact with the designated groundwater, and any required resolutions provided with this application? | <input checked="" type="radio"/> Yes | <input type="radio"/> No |
| ⁵ "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)]. | | |
| ⁶ Do not submit an application. | | |

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

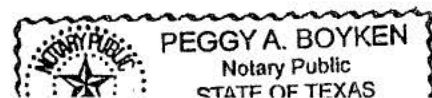
- The MSD eligibility criteria of THSC §361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC §361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the proposed MSD property is included with the application.
- Notice was 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.


 Applicant Signature Vice Pres. of Roosth Production Company
Manager of Vine Street LLC

8/21/2009
 Date

Before me Peggy A. Boyken the undersigned authority, on this day personally appeared
Name of Notary
Steven C. Roosth and signed this Municipal Setting Designation Application.
Name of Applicant

Sworn, subscribed and signed before me in the County of Smith, State of TX, on the 21st day of August, this month of August, 2009.



Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 8, 2010

Ms. Cassandra Brager, City Clerk
P.O. Box 2039
Tyler, TX 75710-2039

Re: Municipal Setting Designation (MSD) Certificate for Vine Street Center, 1604
South Vine Street; MSD No. 121

Dear Ms. Brager:

As required by TEX HEALTH & SAFETY CODE §361.807(a)(2), enclosed is a copy of the MSD dated January 5, 2010. The City of Tyler passed an Ordinance (Ordinance No. 0-2009-38) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please contact me at (512) 239-2960.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Stuart Goldsmith".

R. Stuart Goldsmith, Project Manager
VCP-CA Section
Remediation Division

RSG/jdm

Enclosure

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, Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for MSD No. 121, in the City of Tyler, 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 5th day of January, 2010

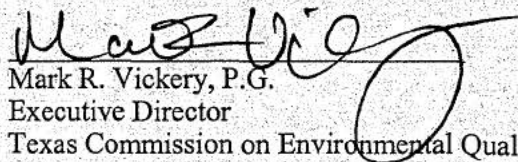

Mark R. Vickery, P.G.
Executive Director
Texas Commission on Environmental Quality

Exhibit "A"

JOHN COWAN & ASSOCIATES, INC.
Registered Professional Land Surveyors

A. W. Osborn, RPLS, PLS
Terry D. Cowan, RPLS, PLS
Mark C. Ellis, RPLS, PLS
Phillip W. Comett, RPLS
C. H. McGaughey, Jr., RPLS

2012 Anthony Drive
Tyler, Texas 75701
903.581.2238 Fax 903.561.0600
email: jcowaninc@jcowaninc.com

John Cowan (1914-1985)
Frank Cowan (1944-1984)

FIELD NOTE DESCRIPTION FOR VINE STREET, LLC
Glenwood Heights Addition and Jim Negem's Subdivision No. 4
New City Block 660-J, City of Tyler, Smith County, Texas

All that certain lot, tract or parcel of land, a part of Lots 21 and 26 and all of Lots 22, 23, 24 and 25 of Glenwood Heights Addition as shown by plat recorded in Volume 281, Page 481 of the Deed Records and being part of Lots 28 and 29 of Jim Negem's Subdivision, Unit No. 4 as shown by plat recorded in Cabinet A, Slide 160-B of the Plat records, and part of New City Block 660-J to the City of Tyler, also being described in a deed conveyed to Vine Street, LLC from Steven C. Roosth, Trustee on the 6th day of February, 2002 with an effective date of January 1st, 2002 and recorded in Volume 6238, Page 21 and a tract conveyed to Vine Street, LLC from M. M. Mitchell Family Partnership, LP on the 16th day of November, 2001 and recorded in Volume 6103, Page 295 of the Official Public Records of Smith County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a ½" iron rod found for corner in the South line of Lot 29 at the Southwest corner of a called 0.285 acre tract conveyed to Tyler Alarms, Inc., from Bessie L. Watson et al on the 15th day of November, 2000 and recorded in Volume 5562, Page 244, and being in the North right of way line of West Fifth Street (50.0' right of way width) and being South 88 deg. 17 min. 42 sec. West - 77.76 ft., from a ½" iron rod found at the Southeast corner of said 0.285 acre tract and Lot 30 and being at the intersection of the North right of way line of West Fifth Street with the West right of way line of Talley Avenue;

THENCE South 88 deg. 31 min. 28 sec. West, with the South lines of said Lots 29 and 28 and the North right of way line of West Fifth Street for a distance of 48.55 ft., to a ½" iron rod found for the Southeast corner of a called 0.4210 acre tract conveyed to Glass Oil Co., Inc., from Tenneco Oil Company on the 2nd day of May, 1966 and recorded in Volume 1195, Page 77 and being North 88 deg. 21 min. 50 sec. East - 128.12 ft., from a P. K. Nail found in an "X" cut in concrete at the East corner of a called 0.005 acre tract conveyed to the State of Texas from Glass Oil Company, Inc., on the 11th day of August, 2000 and recorded in Volume 5434, Page 13;

THENCE North 01 deg. 40 min. 06 sec. West, with the East line of said 0.4210 acre tract for a distance of 142.13 ft., to a 3/8" iron rod found for the Northeast corner of same;

THENCE South 88 deg. 19 min. 54 sec. West, with the North line of said 0.4210 acre tract for a distance of 106.17 ft., to a ½" iron rod set for the Northwest corner of same and being in the West line of Lot 21 and the East right of way line of Vine Avenue (100.0' right of way width), from which a P. K. Nail found in an "X" cut in concrete at the North corner of a said 0.005 acre tract bears South 15 deg. 25 min. 44 sec. West – 127.70 ft.;

THENCE North 15 deg. 25 min. 44 sec. East, with the West line of Lot 21 and the East right of way line of Vine Avenue for a distance of 5.10 ft., to a ½" iron rod set for the P. C. of a curve to the right;

THENCE in a northeasterly direction with the West lines of Lots 21, 22 and 26 and continuing with the East right of way line of Vine Avenue and said curve to the right with an Angle of 06 deg. 31 min. 38 sec., and a Radius of 2814.79 ft., for an Arc Length of 320.67 ft., Chord is North 18 deg. 41 min. 33 sec. East – 320.49 ft., to a P. K. Nail set for the South corner of a called 0.011 acre tract conveyed to the State of Texas from M. M. Mitchell Family Partnership, L.P. on the 28th day of February, 2000 and recorded in Volume 5219, Page 297;

THENCE North 65 deg. 03 min. 06 sec. East, with the East line of the above mentioned 0.011 acre tract for a distance of 38.88 ft., to a P. K. Nail set for the East corner of same in the North line of Lot 26 and the South right of way line of Glenwood Boulevard (110.0' right of way width);

THENCE South 53 deg. 43 min. 57 sec. East, with the North lines of Lots 26 and 25 and the South right of way line of Glenwood Boulevard for a distance of 79.81 ft., to a P. K. Nail set for the P. C. of a curve to the left;

THENCE in a southeasterly direction with the North lines of Lots 25, 24 and 23 and continuing with the South right of way line of Glenwood Boulevard and said curve to the left with an Angle of 07 deg. 55 min. 36 sec., and a Radius of 697.00 ft., for an Arc Length of 96.43 ft., Chord is South 58 deg. 02 min. 33 sec. East – 96.35 ft., to a ½" iron pipe found for a P.R.C.;

THENCE in a southeasterly direction with the North line of Lot 23 and continuing with the South right of way line of Glenwood Boulevard and said curve to the right with an Angle of 101 deg. 37 min. 51 sec., and a Radius of 25.00 ft., for an Arc Length of 44.34 ft., Chord is South 17 deg. 55 min. 49 sec. East – 38.76 ft., to a ½" iron pipe found for the P.T. of said curve and being in the East line of Lot 23 and the West right of way line of Talley Avenue (50.0 ft., right of way width);

THENCE South 18 deg. 07 min. 36 sec. West, with the East lines of Lots 23, 22 and 21 and the West right of way line of Talley Avenue for a distance of 191.61 ft., to a ½" iron rod found for the Northeast corner of said 0.285 acre tract;

THENCE North 72 deg. 13 min. 56 sec. West, with the North line of said 0.285 acre tract for a distance of 88.39 ft., to a ½" iron rod found for the Northwest corner of same;

THENCE South 01 deg. 44 min. 29 sec. East, with the West line of said 0.285 acre tract for a distance of 172.50 ft., to the place of beginning and containing **1.601 acres of land.**

Bearings are oriented to the Texas State Plane Coordinate System, North Central Zone, NAD 1983.

I, Mark C. Ellis, Registered Professional Land Surveyor No. 4254, do hereby certify that the above field noted description was prepared from an actual survey made on the ground under my direction and supervision during March, 2009.

GIVEN UNDER MY HAND & SEAL, this the 12th day of March, 2009.



Mark C. Ellis

Registered Professional Land Surveyor No. 4254

09-070

1151/55

Exhibit "B"

| | | | |
|---|--------------------------------------|---------------------------------------|---------------------------------------|
| c) each retail public utility, as defined by Texas Water Code, §13.002, that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries? | <input checked="" type="radio"/> Yes | <input type="radio"/> No ³ | <input type="radio"/> NA ⁴ |
|---|--------------------------------------|---------------------------------------|---------------------------------------|

³ Do not submit application.

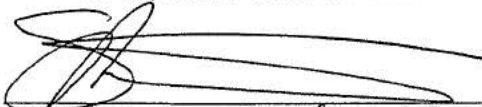
⁴ NA only when no such municipality, private well owner, or retail public utility exists

MSD Information:

| | | |
|--|---|---------------------------------------|
| List all existing TCEQ and US Environmental Protection Agency registration, permit, identification numbers (e.g., SWR No., VCP No., LPST ID No., UIC Registration No., PWS ID. No.), if any, that apply to the groundwater contamination situation within the proposed MSD boundary. State "none" if none applicable. TCEQ VCP No. 1451 | | |
| Is the proposed designated groundwater contaminated in excess of an applicable potable water ⁵ use standard (i.e., 30 TAC 350, ^{GW} GW _{ing})? | <input checked="" type="radio"/> Yes | <input type="radio"/> No ⁶ |
| Was the groundwater contamination previously reported to the TCEQ? (To support implementation of HB 3030, 78 th Legislature.) | <input checked="" type="radio"/> Yes, when? 3 / 6 / 06 | <input type="radio"/> No |
| Is there a potable-use well within the boundary of the proposed MSD that uses the designated groundwater as source water? | <input type="radio"/> Yes ⁶ | <input checked="" type="radio"/> No |
| Is there a potable-use well within the boundary of the proposed MSD that uses a deeper groundwater zone for the source water that is not properly sealed off from the designated groundwater? | <input type="radio"/> Yes ⁶ | <input checked="" type="radio"/> No |
| Is the applicant aware of any non-consumptive use of the groundwater or other human health or ecological exposure pathways that are of concern? If yes, specify: | <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| Has each municipality and retail public utility identified in §361.8065 provided firm commitment to adopt an ordinance or resolution in support of the application? | <input checked="" type="radio"/> Yes | <input type="radio"/> No ⁶ |
| Is a copy of the ordinance or restrictive covenant that restricts consumptive use and appropriately restricts other uses of and contact with the designated groundwater, and any required resolutions provided with this application? | <input checked="" type="radio"/> Yes | <input type="radio"/> No |
| ⁵ "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)]. | | |
| ⁶ Do not submit an application. | | |

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

- The MSD eligibility criteria of THSC §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 was 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.


 Applicant Signature Vice Pres. of Roosth Production Company
Manager of Vine Street LLC

8/21/2009
Date

Before me Peggy A Boyken the undersigned authority, on this day personally appeared
 Name of Notary
Steven C. Roosth and signed this Municipal Setting Designation Application.
 Name of Applicant

Sworn, subscribed and signed before me in the County of Smith, State of TX, on the 21st
 day of August, this month of August, 2009.

