

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Jon Niermann, *Commissioner*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 22, 2018

Mr. Jason Moore, Assistant City Manager
City of Richland Hills
3200 Diana Drive
Richland Hills, Texas 76118

Re: Municipal Setting Designation (MSD) Certificate for City of Richland Hills, Richland Hills Community Center, 6718 & 6720 Baker Blvd., 3271 Matthews Dr., 3250, 3272, & 3280 Diana Dr., and part of the right-of-way on Diana Dr., Richland Hills, Tarrant County, TX; MSD No. 376; Customer No. CN600467013; Regulated Entity No. RN110066685

Dear Mr. Moore:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on December 6, 2017, and additional information supporting this MSD application on March 22, 2018, and August 2, 2018. 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 do not hesitate to contact me at (512) 239-2155 or via e-mail (christina.scanlon@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Christina Scanlon".

Christina Scanlon, Project Manager
VCP-CA Section
Remediation Division

CRS/jdm

cc: Mr. Richard S. Record, P.G., Cirrus Associates, LLC, 600 S. Sherman Street, Ste. 102, Richardson, Texas 75081

Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Dallas/Fort Worth

Enclosure: MSD Certificate

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. 376, in the City of 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 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 22nd day of August, 20 18

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

**BOUNDARY SURVEY
10.337 ACRE TRACT**

Part of Block 1 & 2 and all of Lots 1-5, Block 5, Matthew's Subdivision, First Revised Filing
all of Block A & B, Matthew's Subdivision, Second Revised Filing, all of Diana Drive,
all of Rena Drive, part of Matthews Drive and part of Rufe Snow Drive
Allen S. Trimble Survey, Abstract No. 1529
City of Richland Hills, Tarrant County, Texas

DESCRIPTION, of a 10.337 acre (450,267 square foot) tract of land situated in the Allen S. Trimble Survey, Abstract No. 1529, City of Richland Hills, Tarrant County, Texas; said tract being part of Block 1 and Block 2 and Lots 1-5, Block 5, Matthew's Subdivision, First Revised Filing, an addition to the City of Richland Hills, Texas according to the plat recorded in Volume 388-U, Page 3 of the Plat Records of Tarrant County, Texas; all of Block A and B, Matthew's Subdivision, Second Revised Filing, an addition to the City of Richland Hills, Texas according to the plat recorded in Volume 388-Q, Page 331 of said Plat Records; all of those tracts of land described in Deeds to the City of Richland Hills, recorded in Volume 2760, Page 43, Volume 2971, Page 600, Volume 3914, Page 138, Volume 3981, Page 594, Volume 5393, Page 263, Volume 8438, Page 1489, Volume 9606, Page 626 of the Deed Records of Tarrant County, Texas; all of those tracts of land described in Deed to the City of Richland Hills, recorded in Instrument Nos. D205362719, D213139099, D213177785 and D213254392 of the Official Public Records of Tarrant County, Texas; and including all of Diana Drive; all of Rena Drive, part of Matthews Drive and part of Rufe Snow Drive; said 10.337 acre tract being more particularly described as follows:

BEGINNING, at a 1/2-inch iron rod found at the intersection of the south right-of-way line of Baker Boulevard (a 160-foot right-of-way) and the east right-of-way line of Matthews Drive (a 50-foot wide right-of-way); said point also being the northwest corner of Matthew's Subdivision, an addition to the City of Richland Hills recorded in Volume 388-U, Page 75 of said Plat Records;

THENCE, along the said east line of Matthews Drive and the west line of said Matthew's Subdivision recorded in Volume 388-U, Page 75, the following five (5) calls:

South 00 degrees, 12 minutes, 40 seconds East, a distance of 755.70 feet to a point at the beginning of a non-tangent curve to the left; from said point a 3/8-inch iron rod found for the northeast corner of said Block 5 bears North 29 degrees, 46 minutes, 09 seconds West, a distance of 101.36 feet;

In a southerly direction, along said curve, having a central angle of 06 degrees, 01 minutes, 54 seconds, a radius of 379.50 feet, a chord bearing and distance of South 03 degrees, 13 minutes, 43 seconds East, 39.93 feet, an arc distance of 39.95 feet to a point at the end of said curve;

South 06 degrees, 14 minutes, 40 seconds East, a distance of 11.70 feet to a point at the beginning of a non-tangent curve to the right;

In a southerly direction, along said curve, having a central angle of 06 degrees, 35 minutes, 46 seconds, a radius of 520.30 feet, a chord bearing and distance of South 02 degrees, 51 minutes, 33 seconds East, 59.87 feet, an arc distance of 59.90 feet to a point at the end of said curve;

South 00 degrees, 26 minutes, 20 seconds West, a distance of 20.52 feet to a point for corner;

THENCE, North 74 degrees, 53 minutes, 40 seconds West, departing the said east line of Matthews Drive and the said west line of Matthew's Subdivision recorded in Volume 388-U, Page and along the common line between Lots 1-5 and Lots 6-11 of said Block 5, passing at a distance of 524.77 feet a 1/2-inch iron rod with "PROLINE" cap found at the southwest corner of said Lot 1 and the northwest

**BOUNDARY SURVEY
10.337 ACRE TRACT**

Part of Block 1 & 2 and all of Lots 1-5, Block 5, Matthew's Subdivision, First Revised Filing
all of Block A & B, Matthew's Subdivision, Second Revised Filing, all of Diana Drive,
all of Rena Drive, part of Matthews Drive and part of Rufe Snow Drive
Allen S. Trimble Survey, Abstract No. 1529
City of Richland Hills, Tarrant County, Texas

corner of said Lot 11, in all a total distance of 576.67 feet to a point for corner in the west right-of-way line of Rufe Snow Drive (a variable width right-of-way) and the east line of Lot 9, Block 9, Richland Hills South, Sec. 2, recorded in Volume 388-6, Page 82 of the said Plat Records;

THENCE, along the said west line of Rufe Snow Drive, the following five (5) calls:

North 00 degrees, 24 minutes, 40 seconds West, a distance of 385.30 feet to a 1/2-inch iron rod with yellow cap found for corner;

North 00 degrees, 16 minutes, 16 seconds West, a distance of 54.63 feet to a point for corner;

North 05 degrees, 16 minutes, 12 seconds West, a distance of 57.32 feet to a point for corner;

North 00 degrees, 33 minutes, 46 seconds West, a distance of 69.82 feet to a point at the beginning of a curve to the left;

In a northerly direction, along said curve, having a central angle of 17 degrees, 25 minutes, 54 seconds, a radius of 562.55 feet, a chord bearing and distance of North 09 degrees, 16 minutes, 42 seconds West, 170.49 feet, an arc distance of 171.15 feet to a point at the end of said curve in the said south line of Baker Boulevard; from said point a 1/2-inch iron rod with "BEASLEY" cap found for the northwest corner of Lot 1, Vititow Addition, an addition to the City of Fort Worth recorded in Volume 388-163, Page 87 of the said Plat Records bears South 89 degrees, 47 minutes, 20 seconds West, a distance of 226.06 feet;

THENCE, North 89 degrees, 47 minutes, 20 seconds East, along the said south line of Baker Boulevard and the north line of said Matthew's Addition, First Revised Filing, a distance of 584.07 feet to the POINT OF BEGINNING;

CONTAINING: 45,267 square feet or 10.337 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The plat of survey hereon is a representation of the property as determined from an actual on-the-ground survey conducted by me or under my supervision. This survey has been performed in accordance with the Texas Board of Professional Land Surveying "Professional and Technical Standards". The lines and dimensions of said property are as indicated by the plat. As of this date, I, the undersigned, have no knowledge of or have been advised of any known or apparent intrusions, protrusions, conflicts, or easements except as shown.

Date of Plat or Map: July 29, 2016.


Paul Daniel Date
Registered Professional Land Surveyor No. 6534
Pacheco Koch Consulting Engineers, Inc.
6100 Western Place, #1001, Fort Worth TX 76107
(817) 412-7155
TX Reg. Surveying Firm LS-10008001
3712-16.068EX1.doc; 3712-16.068EX1.dwg pmd



BAKER BOULEVARD (STATE HIGHWAY NO. 183)

0 50 100 200

GRAPHIC SCALE IN FEET



POINT OF BEGINNING

(1/2-INCH IRON ROD
W/ "BEASLEY" CAP FOUND,
S 89°47'20" W - 226.06')(C.M.)

(160' R.O.W.)

N 89°47'20" E 584.07'

1/2-INCH IRON
ROD FOUND (C.M.)

78'
R.O.W.

PART OF BLOCK 1
MATTHEW'S SUBDIVISION
FIRST REVISED FILING
(VOL. 388-U, PG. 3)

90'
R.O.W.

PART OF BLOCK 2
MATTHEW'S SUBDIVISION
FIRST REVISED FILING
(VOL. 388-U, PG. 3)

PART OF LOT 1
VITTIOW ADDITION
(VOL. 388-163, PG. 87)

C3
L5
L4
L3

55'
R.O.W.
RUFE SNOW DRIVE

CITY OF RICHLAND HILLS
(VOL. 2760, PG. 43)
(VOL. 2971, PG. 600)
(VOL. 3914, PG. 138)
(VOL. 3981, PG. 594)
(VOL. 5393, PG. 263)
(VOL. 8438, PG. 1489)
(VOL. 9606, PG. 626)
(INST. NO. D205362719)
(INST. NO. D213139099)
(INST. NO. D213177785)
(INST. NO. D213254392)

5' TEXAS ELECTRIC SERVICE
COMPANY EASEMENT
(VOL. 2670, PG. 64)
(VOL. 3031, PG. 150)

10' TEXAS ELECTRIC SERVICE
COMPANY EASEMENT
(VOL. 5236, PG. 429)

MATTHEWS DRIVE

200.00'
LOT A

5/8-INCH IRON
ROD FOUND (C.M.)

LOT B

LOT C

LOT D

LOT E

1/2-INCH
IRON ROD
W/ YELLOW
CAP FOUND

CLARENCE HUFFMAN
(INST. NO. D209332684)

N 00°24'40" W
385.30'

BLOCK A
MATTHEW'S SUBDIVISION
SECOND REVISED FILING
(VOL. 388-Q, PG. 331)

10' TEXAS ELECTRIC SERVICE
COMPANY EASEMENT
(VOL. 5236, PG. 429)

BLOCK B
MATTHEW'S SUBDIVISION
SECOND REVISED FILING
(VOL. 388-Q, PG. 331)

50'
R.O.W.

755.70'

S 00°12'40" E

10.337 ACRES
(450,267 SF)

MATCH LINE (SEE SHEET 4)

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	006°01'54"	379.50'	39.95'	19.99'	S 3°13'43" E	39.93'
C2	006°35'46"	520.30'	59.90'	29.98'	S 2°51'33" E	59.87'
C3	017°25'54"	582.55'	171.15'	86.24'	N 9°16'42" W	170.49'

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the Texas State Plane Coordinate System - NAD 83, North Central Zone 4202, based on observations made on June 8, 2015 with a combined scale factor of 1.00012.

LINE TABLE

LINE	BEARING	LENGTH
L1	S 05°14'40" E	11.70'
L2	S 00°26'20" W	20.52'
L3	N 00°16'16" W	54.63'
L4	N 05°16'12" W	57.32'
L5	N 00°33'46" W	69.82'

LEGEND

- — — — — PROPERTY LINE
- - - - - EASEMENT LINE
- POINT FOR CORNER (UNLESS OTHERWISE NOTED)
- IRF - 1/2-INCH IRON ROD FOUND
- (C.M.) - CONTROLLING MONUMENT

BOUNDARY SURVEY 10.337 ACRE TRACT

PART OF BLOCK 1 & 2 AND ALL OF LOTS 1-5
BLOCK 5, MATTHEW'S SUBDIVISION, FIRST REVISED
FILING AND ALL OF BLOCK A & B, MATTHEW'S
SUBDIVISION, SECOND REVISED FILING, ALL OF
DIANA DRIVE, ALL OF RENA DRIVE, PART OF
MATTHEWS DRIVE AND PART OF RUFE SNOW DRIVE
ALLEN S. TRIMBLE SURVEY, ABSTRACT NO. 1529,
CITY OF RICHLAND HILLS, TARRANT CO., TEXAS
PAGE 3 OF 4

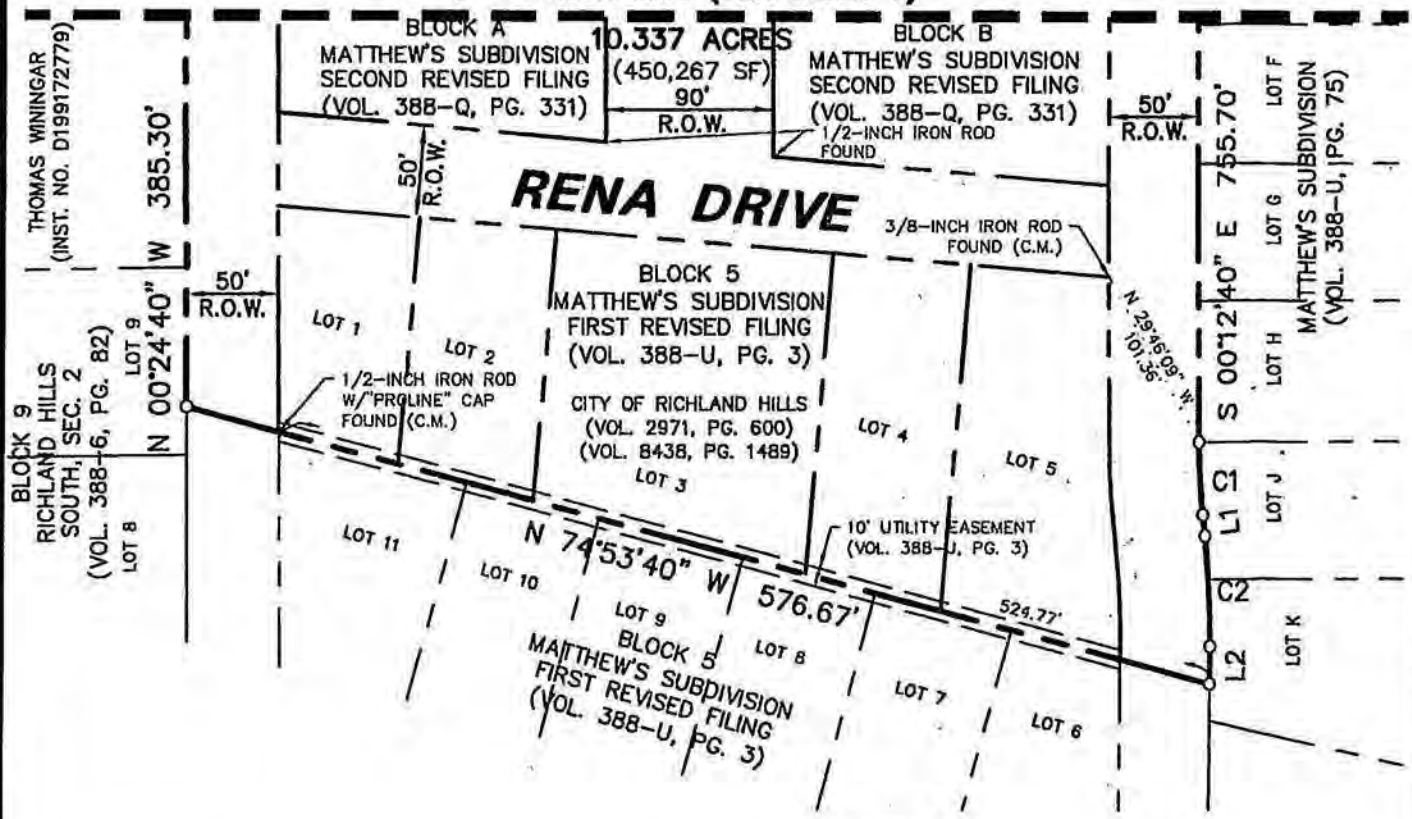
Pacheco Koch

6100 WESTERN PLACE, SUITE 1001
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008001

DALLAS ■ FORT WORTH ■ HOUSTON

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
PMD	RS	1"=100'	AUGUST 2016	3712-16.068

MATCH LINE (SEE SHEET 3)

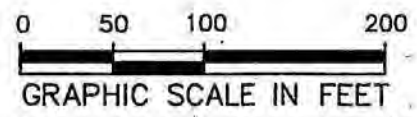


The plat of survey hereon is a representation of the property as determined from an actual on-the-ground survey conducted by me or under my supervision. This survey has been performed in accordance with the Texas Board of Professional Land Surveying "Professional and Technical Standards". The lines and dimensions of said property are as indicated by the plat. As of this date, I, the undersigned, have no knowledge of or have been advised of any known or apparent intrusions, protrusions, conflicts, or easements except as shown.

The preceding declaration is made to the original purchaser of this survey and is not transferable to additional institutions or subsequent owners.

Date of Plat or Map: July 29, 2016.

Paul Daniel 8/4/16
Paul Daniel
Registered Professional
Land Surveyor No. 6534



LEGEND	
---	PROPERTY LINE
---	EASEMENT LINE
○	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
IRF	1/2-INCH IRON ROD FOUND
(C.M.)	CONTROLLING MONUMENT

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the Texas State Plane Coordinate System - NAD 83, North Central Zone 4202, based on observations made on June 8, 2015 with a combined scale factor of 1.00012.

BOUNDARY SURVEY
10.337 ACRE TRACT
PART OF BLOCK 1 & 2 AND ALL OF LOTS 1-5
BLOCK 5, MATTHEW'S SUBDIVISION, FIRST REVISED
FILING AND ALL OF BLOCK A & B, MATTHEW'S
SUBDIVISION, SECOND REVISED FILING, ALL OF
DIANA DRIVE, ALL OF RENA DRIVE, PART OF
MATTHEWS DRIVE AND PART OF RUFÉ SNOW DRIVE
ALLEN S. TRIMBLE SURVEY, ABSTRACT NO. 1529,
CITY OF RICHLAND HILLS, TARRANT CO., TEXAS
PAGE 4 OF 4

Pacheco Koch 6100 WESTERN PLACE, SUITE 1001
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
DALLAS • FORT WORTH • HOUSTON TX REG. SURVEYING FIRM LS-10008001

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
PMD	RS	1"=100'	AUGUST 2016	3712-16.06B

.Y.DWG
 .Y.DWG-37\3712-16.06B\DWG\SURVEY C3D 2012\3712-16.06B90L
 2016 9:09 AM
 PDANIEL

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Jason Moore, as an authorized representative of City of Richland Hills, 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.

Jason Moore
Signature

Date: 11-22-17

Jason Moore

Printed Name

Assistant City Manager

Title

STATE OF Texas

COUNTY OF Tarrant

SUBSCRIBED AND SWORN before me on this the 22nd day of November 2017, to which witness my hand and seal of office.

Cathy Bourg
Notary Public in and for the State of Texas

