

Jón Niermann, *Chairman*
Erally Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 8, 2018

Mr. Merhdad Moayedi, Manager
CADG Mercer Crossing Holdings, LLC
1800 Valley View Lane, Suite 350
Farmers Branch, Texas 75234

Re: Municipal Setting Designation (MSD) Certificate for CADG Mercer Crossing Holdings, LLC, Former GNB-Exide Battery site, 1880 Valley View Lane and 1800 Wittington Place, Farmers Branch, Dallas County, Texas; MSD No. 379; Customer No. CN605204817; Regulated Entity No. RN110112703

Dear Mr. Moayedi:

The Texas Commission on Environmental Quality (TCEQ) received the above-referenced MSD application on December 28, 2017 and additional information supporting this MSD application on September 19, 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 MSD Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-6753 or via e-mail (Joseph.Bell@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Bell".

Joe Bell, P.G., Project Manager
VCP-CA Section
Remediation Division

JNB/jdm

cc: Mr. Kevin W. Almaguer, P.G., EnviroPhase, Inc., 2201 Main Street, Suite 1006, Dallas, Texas 75201

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. 379, in the City of Farmers Branch, 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 5th day of October, 2018

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

Description of 59.49 Acres

BEING all or portions of those certain tracts of land situated in the Francis Miller Survey, Abstract Number 926, Dallas County, Texas and being all of that tract of land described by deed to Edina Park Plaza Associates Limited Partnership, recorded in Instrument Number 20070299861 of County records, Dallas County, Texas and being the remainder of that tract of land described by deed to ART GNB, Inc., recorded in Instrument Number 20070248392 of said County Records and being all of Block F, of Westside Addition, Section 1, an addition to the City of Farmers Branch recorded in Instrument Number 200600172708 said County Records and being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of said Edina tract in the south right-of-way of Valley View Lane (a variable width right-of-way) and being the beginning of a non-tangent curve to the right;

THENCE with the south right-of-way of said Valley View Lane the following courses and distances;

with said non-tangent curve to the right, an arc distance of 230.90 feet, through a central angle of $07^{\circ}30'06''$, having a radius of 1763.60 feet, the long chord of which bears $N 58^{\circ}52'15''E$, 230.74 feet, to the beginning of a non-tangent curve to the right;

with said non-tangent curve to the right, an arc distance of 347.09 feet, through a central angle of $14^{\circ}32'26''$, having a radius of 1367.69 feet, the long chord of which bears $N 68^{\circ}43'04''E$, 346.16 feet, to the beginning of a non-tangent curve to the left;

with said non-tangent curve to the left, an arc distance of 759.20 feet, through a central angle of $05^{\circ}59'37''$, having a radius of 7257.62 feet, the long chord of which bears $N 74^{\circ}08'39''E$, 758.85 feet, to the beginning of a non-tangent curve to the left;

with said curve to the left, an arc distance of 384.50 feet, through a central angle of $03^{\circ}35'42''$, having a radius of 6128.08 feet, the long chord of which bears $N 68^{\circ}52'24''E$, 384.44 feet;

THENCE $N 67^{\circ}04'16''E$, 251.16 feet, continuing with said south right-of-way, to the northeast corner of said Edina tract;

THENCE $S 01^{\circ}19'18''E$, 308.82 feet, departing said south right-of-way, to the north line of aforesaid ART GNB tract remainder;

THENCE $N 89^{\circ}36'19''E$, 252.32 feet, with said north line, to the northeast corner of said ART GNB tract remainder;

THENCE $S 01^{\circ}10'40''E$, 835.58 feet to an ell corner in the east line of said ART GNB tract;

THENCE N 89°29'14"E, 196.38 feet, continuing with said east line, to the northwest corner of a Street Easement recorded in Instrument Number 200002802701 said County Records;

THENCE S 01°10'43"E, 121.49 feet, with the west line of said Street Easement, to the south line of said ART GNB remainder, and being in the north line of aforementioned Block F;

THENCE N 88°42'52"E, 3.98 feet, with said common line, to the west right-of-way of Hutton Road (a called 64 foot right-of-way) at the beginning of a non-tangent curve to the right;

THENCE with said non-tangent curve to the right, an arc distance of 199.73 feet, through a central angle of 07°37'45", having a radius of 1500.00 feet, the long chord of which bears S 03°53'22"W, 199.58 feet;

THENCE S 07°42'15"W, 123.56 feet, continuing with said west right-of-way;

THENCE S 48°12'33"W, 38.02 feet, to the north right-of-way line of Wittington Place (a called 110 foot right-of-way);

THENCE S 88°42'52"W, 1493.14 feet, with said north right-of-way, to the beginning of a curve to the left;

THENCE with said curve to the left, with said north right-of-way, an arc distance of 305.68 feet, through a central angle of 16°33'18", having a radius of 1057.93 feet, the long chord of which bears S 80°26'13"W, 304.62 feet;

THENCE N 66°09'25"W, 22.29 feet, to the easterly right-of-way of Chartwell Drive (an 85 foot right-of-way);

THENCE N 24°04'09"W, 38.83 feet, with said easterly right-of-way, to the beginning of a curve to the left;

THENCE, continuing with said easterly right-of-way, with said curve to the left, an arc distance of 387.71 feet, through a central angle of 34°34'27", having a radius of 642.50 feet, the long chord of which bears N 41°21'23"W, 381.85 feet;

THENCE N 44°06'55"E, 358.93 feet;

THENCE N 45°55'16"W, 597.40 feet to the **Point of Beginning** and containing 2,591,374 square feet or 59.49 acres of land more or less.

"Integral parts of this document"

1. Description
2. Exhibit

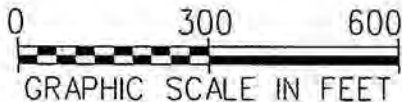
Not to be used in the transfer of real property



Peloton Job No. CEN17002
FlrMnd

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Tracking No. msr+blkF
September 14, 2018



C#	DELTA	RADIUS	LENGTH	CH BRNG	DIST
C1	07° 30' 06"	1763.60'	230.90'	N58° 52' 15" E	230.74'
C2	14° 32' 26"	1367.69'	347.09'	N68° 43' 04" E	346.16'
C3	05° 59' 37"	7257.62'	759.20'	N74° 08' 39" E	758.85'
C4	03° 35' 42"	6128.08'	384.50'	N68° 52' 24" E	384.44'
C5	07° 37' 45"	1500.00'	199.73'	S03° 53' 22" W	199.58'
C6	16° 33' 10"	1057.93'	305.68'	S90° 26' 13" W	304.62'
C7	34° 34' 27"	642.50'	387.71'	N41° 21' 23" W	381.85'

Basis of Bearing is the Texas
Coordinate System, North Central
Zone 4202, NAD 83

"Integral parts of this document"
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2. Exhibit
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of real property

EXHIBIT "A"
PAGE 3 OF 3

Point of Beginning

Valley View Lane

FRANCIS MILLER SURVEY
ABST. #926

Edina Park Plaza Associates LP
Inst. #20070299861
C.R.D.C.T.

Edina Park 34.00 Ac.
Block F 16.86 Ac.
ART GNB 8.63 Ac.
Total 59.49 Ac.

ART GNB Inc.
Inst. #20070248392
C.R.D.C.T.

Lol 2, Block 4
Valley View Commerce
Park
Inst. #198501077024
C.R.D.C.T.

North Dallas Bible Chapel, Inc.
Inst. #201100039065
C.R.D.C.T.

Auto Classics Addition
Vol. 78175, Pg. 817
C.R.D.C.T.

Lol 1, Block A
Mercer Crossing Addition I
Inst. #200318400061
C.R.D.C.T.

L1	N89° 29' 14" E	196.38'
L2	S01° 10' 43" E	121.49'
L3	N88° 42' 52" E	3.98'
L4	S07° 42' 15" W	123.56'
L5	S48° 12' 33" W	38.02'
L6	N66° 09' 25" W	22.29'
L7	N24° 04' 09" W	38.83'

Chartwell Drive

Block F
Westside Addition, Sec. 1
Inst. #200600172708
C.R.D.C.T.

Wittington Place

Hutton Drive

Hutton Drive



9-17-18

An Exhibit Showing
59.49 Acres
Situated In The Francis Miller
Survey, Abstract Number 926, City Of
Farmers Branch, Dallas County, Texas

PELTON
LAND SOLUTIONS
9800 HILLWOOD PARKWAY, SUITE 250
FORT WORTH, TEXAS 76177 PH # 817-562-3350
JA:\Job\CEN17001_Mercer - Crossing\Sur\CEN17001 - E.x.3.dgn

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Mehrdad Moayedi, as an authorized representative of CADG Mercer Crossing Holdings, 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.

Mehrdad Moayedi
Signature

Date: 12/18/17

Mehrdad Moayedi
Printed Name

MGR
Title

STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 18 day of December 2017, to which witness my hand and seal of office.

T. Kollinger
Notary Public in and for the State of TEXAS

