

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 20, 2018

Mr. David Whitten
General Counsel for Atrium Corporation
Guida, Slavich, & Flores, P.C.
5956 Sherry Lane, Suite 1000
Dallas, Texas 75225

Re: Municipal Setting Designation (MSD) Certificate for Atrium Corporation
930 Hensley Lane, Wylie (Collin County), Texas 75098
MSD 394, SWR No. 86642; CN6031633155; RN102607850
EPA ID No. TXR000040832

Dear Mr. Whitten:

The Texas Commission on Environmental Quality (TCEQ) received the above-referenced MSD application on August 20, 2018 and additional information supporting this MSD application on November 5, 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) 239-2991 or via e-mail (jerry.wick@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink that reads "Gerald F. Wick".

Gerald F. Wick, P.G., Project Manager
Team 1, VCP-CA Section
Remediation Division

GFW/jdm

Enclosure: MSD Certificate

cc: Ms. Erin Gorman, Waste Section Manager, Dallas/Fort Worth Regional Office, R-4

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. 394, in the City of Wylie, 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 16th day of November, 2018

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

NOTE
 THE EXISTING ZONING, USE AND DENSITY CLASSIFICATIONS ARE ZONED INDUSTRIAL (CITY OF WYLLIE).
 ALL UNDERGROUND UTILITIES TAKEN FROM DRAWINGS FROM THE CITY OF WYLLIE. THE SURVEYOR ASSUMES NO RESPONSIBILITY TO THE ACCURACY OF THESE UTILITIES.



PARKING SPACES 224
 MANICAP PARKING SPACES 7



Scale 1" = 100'

PROPERTY DESCRIPTION

Being a tract of land situated in the Duke Strickland Survey, Abstract No. 641, City of Wyllie, Collin County, Texas and being all of Lot 1, Block 2, of Premier Industrial Park South, 1st Revision, as Addition to the City of Wyllie, Collin County, Texas by plat thereof recorded in Volume L, Page 427, Map Records, Collin County, Texas and being more particularly described as follows:
 Beginning at a 1/2" iron rod found (conical monument) on the south right-of-way line of Hensley Lane (60' R.O.W.) for the most northerly northeast corner of Lot 1, Block 2, of Amended Plat of Premier Industrial Park South, an Addition to the City of Wyllie, Collin County, Texas recorded in Volume L, Page 150, Map Records, Collin County, Texas.
 Thence North 07°00'00" East, (Bearing of bearing) along the south right-of-way line of Hensley Lane (60' R.O.W.), a distance of 799.06 feet to a 1/2" iron rod found (conical monument) for the beginning of a curve to the right having a central angle of 0°24'42", a radius of 2,000.00 feet and a chord which bears South 89°44'48" East a distance of 30.00 feet.
 Thence southwesterly, along the south right-of-way line of Hensley Lane (60' R.O.W.) and said curve to the right, an arc distance of 20.00 feet to a 5/8" iron rod set for corner.
 Thence South 02°00'00" East, a distance of 824.20 feet to a 5/8" iron rod set for corner on the north line of a 12.833 acre tract of land conveyed to Independent Bank of Wyllie by deed recorded in Volume 3029, Page 790, Deed Records, Collin County, Texas.
 Thence North 89°23'28" West, along the north line of said 12.833 acre tract, a distance of 1,197.49 feet to a 600 nail found for an old corner of a 10.701 acre tract of land conveyed to John B. Robinson by deed recorded in Volume 1560, Page 161, Deed Records, Collin County, Texas, and being the northwest corner of said 12.833 acre tract.
 Thence North 07°28'23" East, along the east line of said 10.701 acre tract, a distance of 462.16 feet to a 1/2" iron rod found for the most westerly southwest corner of said Lot 2.
 Thence South 81°51'48" East, along a southeast line of said Lot 2, a distance of 192.54 feet to a 1/2" iron rod set for corner.
 Thence South 33°27'12" East, along a southeast line of said Lot 2, a distance of 254.00 feet to a 1/2" iron rod set for corner.
 Thence North 90°00'00" East, along the south line of said Lot 2, a distance of 162.87 feet to a 1/2" iron rod set for the southeast corner of said Lot 2.
 Thence North 07°00'00" East, along an east line of said Lot 2, a distance of 568.70 feet to a 1/2" iron rod set for the most easterly northeast corner of said Lot 2.
 Thence South 90°00'00" West, along a north line of said Lot 2, a distance of 75.00 feet to a 1/2" iron rod found for a re-entrant corner of said Lot 2.
 Thence North 07°00'00" West, along a west line of said Lot 2, a distance of 282.80 feet to the Point of Beginning and containing 742,488 square feet or 17,306 acres of land.

All of the above described property lies within Zone "X" (area determined to be outside of the 500-year flood plain) and none of the above described property lies within Zone "A" (special flood hazard areas outlined by 100-year flood) according to the Dallas D Water Flood Study dated September 1993 and as adopted by the City of Wyllie.

SURVEYOR'S CERTIFICATE

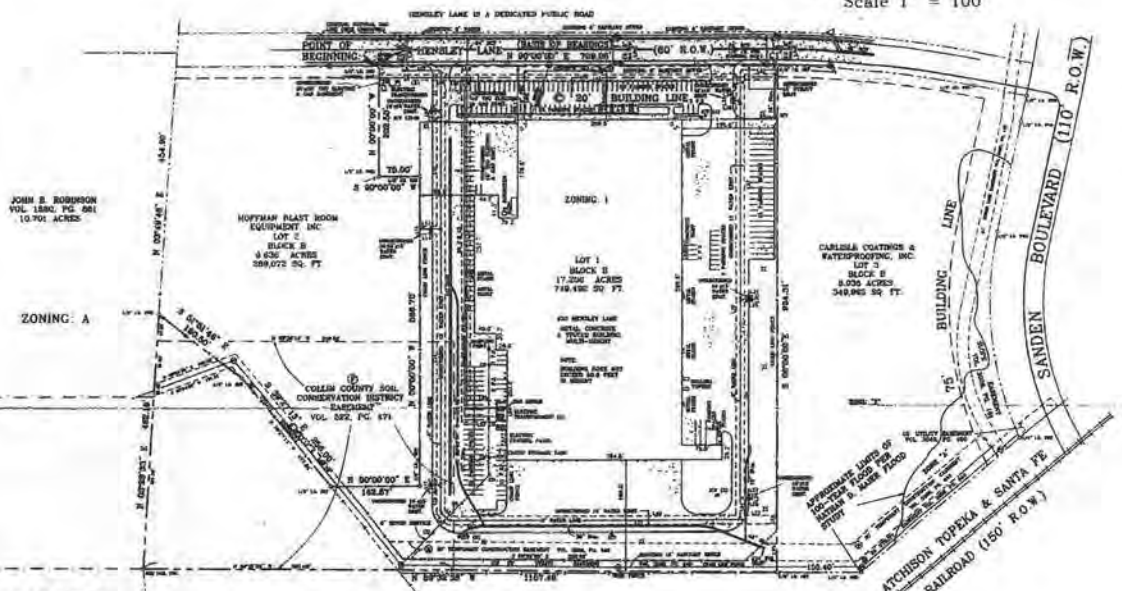
THE UNDERSIGNED, a surveyor registered under the laws of the State of Texas, does hereby certify to NICHOLAS STANLEY ELLIOTT, INC. its successors and/or assigns, CORPORATE PROPERTY ASSOCIATES (A CORPORATION), a Maryland corporation, WOODRICH (DB) LP, a Delaware limited partnership, WIM (DB), a Maryland business trust, DOUGH (DB) INC. a Delaware corporation, ATRON COMPANIES, INC. a Delaware corporation, FIDELITY NATIONAL TITLE INSURANCE COMPANY, and REED SMITH LLP as follows with respect to that certain survey entitled "The Survey", which Survey was prepared on November 7, 2000 and revised by the undersigned through November 18, 2001:

- (a) that the Survey was actually made upon the ground and that it and the information, courses and distances shown thereon are correct;
- (b) that the title Dates and lines of actual possession are the same;
- (c) that the use, location and type of buildings and improvements are as shown on the Survey and all are within the boundary lines of the property depicted on the Survey (the Property);
- (d) that there are no encumbrances, encroachments or uses affecting the Property which appear from a careful physical inspection of the same, other than those shown and depicted on the Survey;
- (e) that all utility services required for the operation of the Property are available to the Property without the need for easements across the land of others;
- (f) that the Survey shows the location and direction of all storm drainage systems for the collection and disposal of all roof and surface drainage;
- (g) that any discharge into streams, rivers or other conveyance systems is shown on the Survey;
- (h) that the Property does not lie within a flood hazard area in accordance with the document entitled Department of Housing and Urban Development, Federal Insurance Administration - Special Flood Hazard Area Maps; and
- (i) that this map or plat and the survey on which it is based were made, (i) in accordance with Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA, ACSM and RPS in 1990, and includes items 2.3, 2.4, 2.7(a), 7(b)(1), 8, 10, 11(a), (as to utilities, surface matters only) and 13 of Table A thereof, and (ii) pursuant to the accuracy standards as adopted by ALTA, RPS and ACSM and in effect on the date of this certification, undersigned further certifies that the Positional Uncertainty resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerances.

WITNESSE my due execution hereof as of this 18th day of November, 2001.
 Donald J. Jackson
 Registered Professional Land Surveyor No. 2949



JACKSON & ASSOCIATES LAND SURVEYORS, INC.
 2000 F. M. Highway No. 644 Wyllie, Texas 75086
 Phone (972) 428-1045



JOHN B. ROBINSON
 VOL. 1560, PG. 161
 10.701 ACRES

HOFFMAN PLAST ROOM
 EQUIPMENT INC.
 LOT 1
 BLOCK 2
 8.626 ACRES
 399,072 SQ. FT.

CARLENE COATRICE &
 WATERPROOFING, INC.
 LOT 2
 BLOCK 2
 8.028 ACRES
 348,962 SQ. FT.

JOHN B. ROBINSON
 VOL. 1640, PG. 261
 10.701 ACRES

INDEPENDENT BANK
 OF WYLLIE
 VOL. 3029, PG. 790
 12.833 ACRES

SCHEDULE B
 Commitment No. MY901-95747E
 REVISED OCTOBER 16, 2001

- A. Easement:
 To: Collin County Soil Conservation District, October 10, 1986, Volume 722, page 471, Deed Records, Collin County, Texas, shows on plat in southwest portion.
- B. Easement:
 To: City of Wyllie
 Purpose: Temporary Construction
 Recorded: July 11, 1998, Volume 3069, Page 640, Deed Records, Collin County, Texas
 Location: 30' in width adjacent to and north 20' permanent easement located in the south and southwest portion of subject property.
- D. Easement as shown on the recorded plat Volume L, Page 427 and dedication and by document recorded in Volume 3008, Page 840, Deed Records.
 Purpose: Utility
 Location: 20' along south and southwest portion.
- E. A 20 foot building setback line along the north property line as set forth on the recorded plat and dedication.



NUMBER	DIAMETER	DEPTH	DATE	NUMBER	DIAMETER	DEPTH	DATE
14	18.00"	18.00"	11/18/01	140	18.00"	18.00"	11/18/01
15	18.00"	18.00"	11/18/01	141	18.00"	18.00"	11/18/01
16	18.00"	18.00"	11/18/01	142	18.00"	18.00"	11/18/01
17	18.00"	18.00"	11/18/01	143	18.00"	18.00"	11/18/01
18	18.00"	18.00"	11/18/01	144	18.00"	18.00"	11/18/01
19	18.00"	18.00"	11/18/01	145	18.00"	18.00"	11/18/01
20	18.00"	18.00"	11/18/01	146	18.00"	18.00"	11/18/01
21	18.00"	18.00"	11/18/01	147	18.00"	18.00"	11/18/01
22	18.00"	18.00"	11/18/01	148	18.00"	18.00"	11/18/01
23	18.00"	18.00"	11/18/01	149	18.00"	18.00"	11/18/01
24	18.00"	18.00"	11/18/01	150	18.00"	18.00"	11/18/01
25	18.00"	18.00"	11/18/01	151	18.00"	18.00"	11/18/01
26	18.00"	18.00"	11/18/01	152	18.00"	18.00"	11/18/01
27	18.00"	18.00"	11/18/01	153	18.00"	18.00"	11/18/01
28	18.00"	18.00"	11/18/01	154	18.00"	18.00"	11/18/01
29	18.00"	18.00"	11/18/01	155	18.00"	18.00"	11/18/01
30	18.00"	18.00"	11/18/01	156	18.00"	18.00"	11/18/01
31	18.00"	18.00"	11/18/01	157	18.00"	18.00"	11/18/01
32	18.00"	18.00"	11/18/01	158	18.00"	18.00"	11/18/01
33	18.00"	18.00"	11/18/01	159	18.00"	18.00"	11/18/01
34	18.00"	18.00"	11/18/01	160	18.00"	18.00"	11/18/01
35	18.00"	18.00"	11/18/01	161	18.00"	18.00"	11/18/01
36	18.00"	18.00"	11/18/01	162	18.00"	18.00"	11/18/01
37	18.00"	18.00"	11/18/01	163	18.00"	18.00"	11/18/01
38	18.00"	18.00"	11/18/01	164	18.00"	18.00"	11/18/01
39	18.00"	18.00"	11/18/01	165	18.00"	18.00"	11/18/01
40	18.00"	18.00"	11/18/01	166	18.00"	18.00"	11/18/01
41	18.00"	18.00"	11/18/01	167	18.00"	18.00"	11/18/01
42	18.00"	18.00"	11/18/01	168	18.00"	18.00"	11/18/01
43	18.00"	18.00"	11/18/01	169	18.00"	18.00"	11/18/01
44	18.00"	18.00"	11/18/01	170	18.00"	18.00"	11/18/01
45	18.00"	18.00"	11/18/01	171	18.00"	18.00"	11/18/01
46	18.00"	18.00"	11/18/01	172	18.00"	18.00"	11/18/01
47	18.00"	18.00"	11/18/01	173	18.00"	18.00"	11/18/01
48	18.00"	18.00"	11/18/01	174	18.00"	18.00"	11/18/01
49	18.00"	18.00"	11/18/01	175	18.00"	18.00"	11/18/01
50	18.00"	18.00"	11/18/01	176	18.00"	18.00"	11/18/01
51	18.00"	18.00"	11/18/01	177	18.00"	18.00"	11/18/01
52	18.00"	18.00"	11/18/01	178	18.00"	18.00"	11/18/01
53	18.00"	18.00"	11/18/01	179	18.00"	18.00"	11/18/01
54	18.00"	18.00"	11/18/01	180	18.00"	18.00"	11/18/01
55	18.00"	18.00"	11/18/01	181	18.00"	18.00"	11/18/01
56	18.00"	18.00"	11/18/01	182	18.00"	18.00"	11/18/01
57	18.00"	18.00"	11/18/01	183	18.00"	18.00"	11/18/01
58	18.00"	18.00"	11/18/01	184	18.00"	18.00"	11/18/01
59	18.00"	18.00"	11/18/01	185	18.00"	18.00"	11/18/01
60	18.00"	18.00"	11/18/01	186	18.00"	18.00"	11/18/01
61	18.00"	18.00"	11/18/01	187	18.00"	18.00"	11/18/01
62	18.00"	18.00"	11/18/01	188	18.00"	18.00"	11/18/01
63	18.00"	18.00"	11/18/01	189	18.00"	18.00"	11/18/01
64	18.00"	18.00"	11/18/01	190	18.00"	18.00"	11/18/01
65	18.00"	18.00"	11/18/01	191	18.00"	18.00"	11/18/01
66	18.00"	18.00"	11/18/01	192	18.00"	18.00"	11/18/01
67	18.00"	18.00"	11/18/01	193	18.00"	18.00"	11/18/01
68	18.00"	18.00"	11/18/01	194	18.00"	18.00"	11/18/01
69	18.00"	18.00"	11/18/01	195	18.00"	18.00"	11/18/01
70	18.00"	18.00"	11/18/01	196	18.00"	18.00"	11/18/01
71	18.00"	18.00"	11/18/01	197	18.00"	18.00"	11/18/01
72	18.00"	18.00"	11/18/01	198	18.00"	18.00"	11/18/01
73	18.00"	18.00"	11/18/01	199	18.00"	18.00"	11/18/01
74	18.00"	18.00"	11/18/01	200	18.00"	18.00"	11/18/01
75	18.00"	18.00"	11/18/01	201	18.00"	18.00"	11/18/01
76	18.00"	18.00"	11/18/01	202	18.00"	18.00"	11/18/01
77	18.00"	18.00"	11/18/01	203	18.00"	18.00"	11/18/01
78	18.00"	18.00"	11/18/01	204	18.00"	18.00"	11/18/01
79	18.00"	18.00"	11/18/01	205	18.00"	18.00"	11/18/01
80	18.00"	18.00"	11/18/01	206	18.00"	18.00"	11/18/01
81	18.00"	18.00"	11/18/01	207	18.00"	18.00"	11/18/01
82	18.00"	18.00"	11/18/01	208	18.00"	18.00"	11/18/01
83	18.00"	18.00"	11/18/01	209	18.00"	18.00"	11/18/01
84	18.00"	18.00"	11/18/01	210	18.00"	18.00"	11/18/01
85	18.00"	18.00"	11/18/01	211	18.00"	18.00"	11/18/01
86	18.00"	18.00"	11/18/01	212	18.00"	18.00"	11/18/01
87	18.00"	18.00"	11/18/01	213	18.00"	18.00"	11/18/01
88	18.00"	18.00"	11/18/01	214	18.00"	18.00"	11/18/01
89	18.00"	18.00"	11/18/01	215	18.00"	18.00"	11/18/01
90	18.00"	18.00"	11/18/01	216	18.00"	18.00"	11/18/01
91	18.00"	18.00"	11/18/01	217	18.00"	18.00"	11/18/01
92	18.00"	18.00"	11/18/01	218	18.00"	18.00"	11/18/01
93	18.00"	18.00"	11/18/01	219	18.00"	18.00"	11/18/01
94	18.00"	18.00"	11/18/01	220	18.00"	18.00"	11/18/01
95	18.00"	18.00"	11/18/01	221	18.00"	18.00"	11/18/01
96	18.00"	18.00"	11/18/01	222	18.00"	18.00"	11/18/01
97	18.00"	18.00"	11/18/01	223	18.00"	18.00"	11/18/01
98	18.00"	18.00"	11/18/01	224	18.00"	18.00"	11/18/01
99	18.00"	18.00"	11/18/01	225	18.00"	18.00"	11/18/01
100	18.00"	18.00"	11/18/01	226	18.00"	18.00"	11/18/01
101	18.00"	18.00"	11/18/01	227	18.00"	18.00"	11/18/01
102	18.00"	18.00"	11/18/01	228	18.00"	18.00"	11/18/01
103	18.00"	18.00"	11/18/01	229	18.00"	18.00"	11/18/01
104	18.00"	18.00"	11/18/01	230	18.00"	18.00"	11/18/01
105	18.00"	18.00"	11/18/01	231	18.00"	18.00"	11/18/01
106	18.00"	18.00"	11/18/01	232	18.00"	18.00"	11/18/01
107	18.00"	18.00"	11/18/01	233	18.00"	18.00"	11/18/01
108	18.00"	18.00"	11/18/01	234	18.00"	18.00"	11/18/01
109	18.00"	18.00"	11/18/01	235	18.00"	18.00"	11/18/01
110	18.00"	18.00"	11/18/01	236	18.00"	18.00"	11/18/01
111	18.00"	18.00"	11/18/01	237	18.00"	18.00"	11/18/01
112	18.00"	18.00"	11/18/01	238	18.00"	18.00"	11/18/01
113	18.00"	18.00"	11/18/01	239	18.00"	18.00"	11/18/01
114	18.00"	18.00"</					

Exhibit B

Municipal Setting Designation

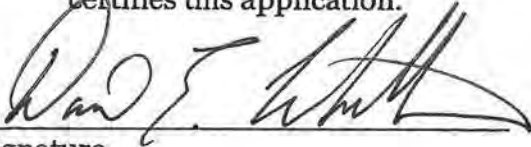
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared David E. Whitten, as an authorized representative of Atrium 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.



Date: Aug 16, 2018

Signature

David E. Whitten

Printed Name

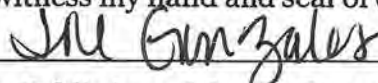
Attorney-in-fact

Title

STATE OF TEXAS

COUNTY OF DALLAS

SUBSCRIBED AND SWORN before me on this the 16th day of August 2018, to which witness my hand and seal of office.



Notary Public in and for the State of TEXAS

