

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 11, 2019

Mr. John Sughrue  
President of JTS 2121 GP, Inc./Brooks 2121 IB, LP  
1531 Edison Street  
Dallas, Texas 75207

Re: Municipal Setting Designation (MSD) Certificate for Brook 2121 IB, LP, 2121 Irving Boulevard Property, 2121 Irving Blvd., Dallas, Dallas County, Texas; MSD No. 408; Customer No. CN605402338; Regulated Entity No. RN102012259

Dear Mr. Sughrue:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on November 28, 2018 and additional information supporting this MSD application on February 18, 2019. 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) 239-2155 or via e-mail ([christina.scanlon@tceq.texas.gov](mailto: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

Enclosure: MSD Certificate

cc: Mr. R Steven George, Green Star Environmental, P.O. Box 13482, Arlington, Texas 76094  
Mr. John Slavich, Guida, Slavich, & Flores, P.C., 5956 Sherry Lane, Suite 1000, Dallas, Texas 75225  
Ms. Erin Gorman, 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, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 408, 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 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 8<sup>th</sup> day of March, 2019

Beth Seaton

Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality

ITEM 3

TCEQ MUNICIPAL SETTING DESIGNATION APPLICATION

2121 and 2025 Irving Boulevard and 133 Manufacturing Street  
Dallas, Texas 75207

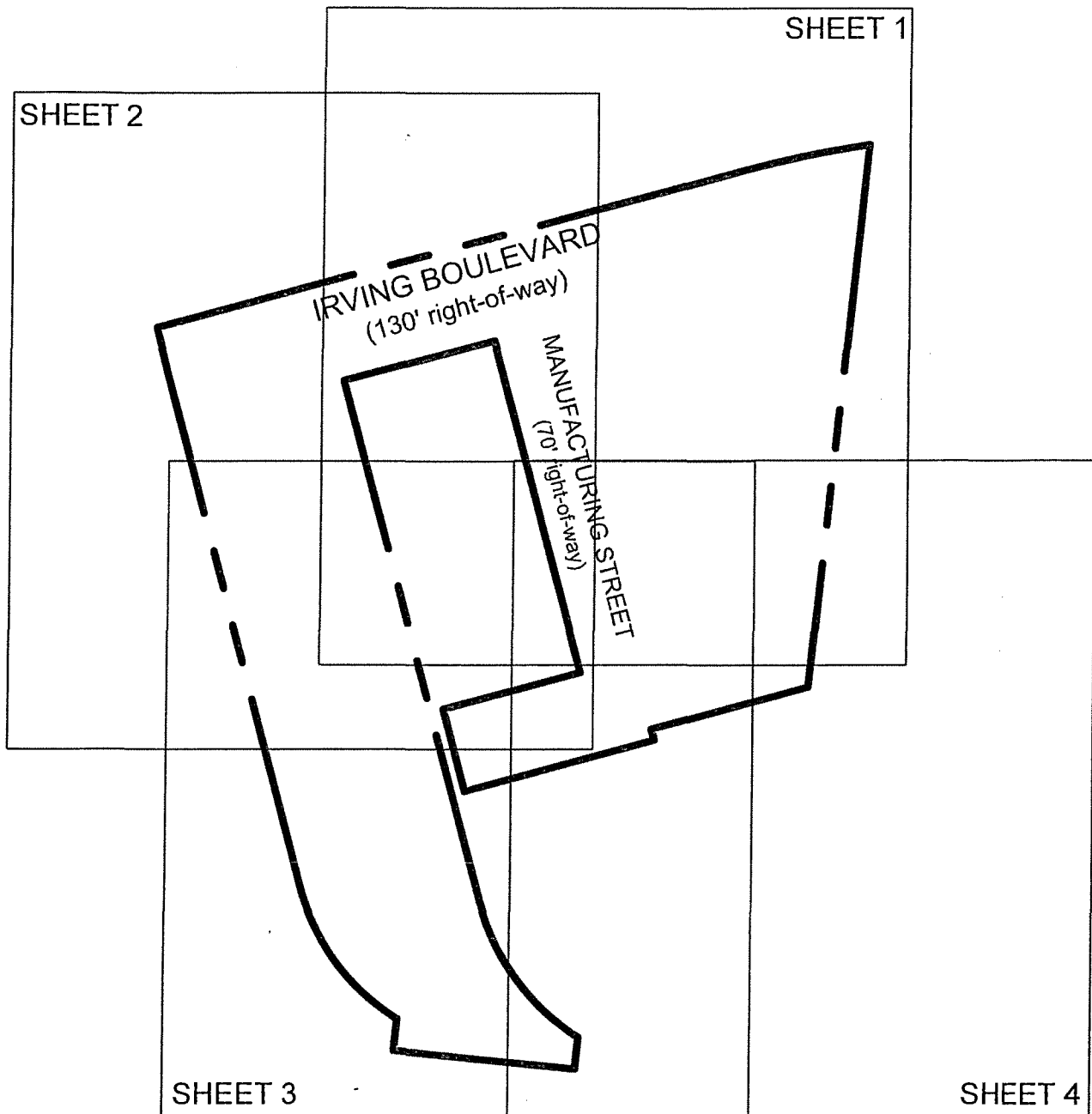
Legal Description and GPS Coordinates for Designated Property

The legal description for the Designated Property is included in the survey attached with this item.

The following table is a list of global positioning satellite coordinate locations to allow the MSD property boundaries to be plotted in a geographic information system.

Point	Latitude	Longitude
1	32° 47' 41.98993" N	-96° 49' 44.09608" W
2	32° 47' 37.15472" N	-96° 49' 47.60956" W
3	32° 47' 37.53269" N	-96° 49' 50.04120" W
4	32° 47' 37.38807" N	-96° 49' 50.07271" W
5	32° 47' 37.83984" N	-96° 49' 52.98812" W
6	32° 47' 38.91036" N	-96° 49' 52.75489" W
7	32° 47' 38.58262" N	-96° 49' 50.64630" W
8	32° 47' 42.91336" N	-96° 49' 49.70272" W
9	32° 47' 43.27108" N	-96° 49' 52.00708" W
10	32° 47' 36.45183" N	-96° 49' 53.49304" W
11	32° 47' 34.34790" N	-96° 49' 53.00880" W
12	32° 47' 34.00257" N	-96° 49' 53.26100" W
13	32° 47' 35.37914" N	-96° 49' 55.93653" W
14	32° 47' 35.72562" N	-96° 49' 55.68658" W
15	32° 47' 37.82958" N	-96° 49' 56.17084" W
16	32° 47' 44.98487" N	-96° 49' 54.61193" W
17	32° 47' 43.52131" N	-96° 49' 45.29551" W
18	32° 47' 43.10369" N	-96° 49' 43.28676" W

Source: Winkelmann & Associates



**Winkelmann  
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
8750 HILLCREST PLAZA DRIVE, SUITE 525 (972) 490-7090  
DALLAS, TEXAS 75231 (972) 490-7099 FAX

Texas Engineers Registration No. 89  
Texas Surveyors No. 10086500 Expires 12-31-18  
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Scale : 1" = 200'

Date : 02.02.18

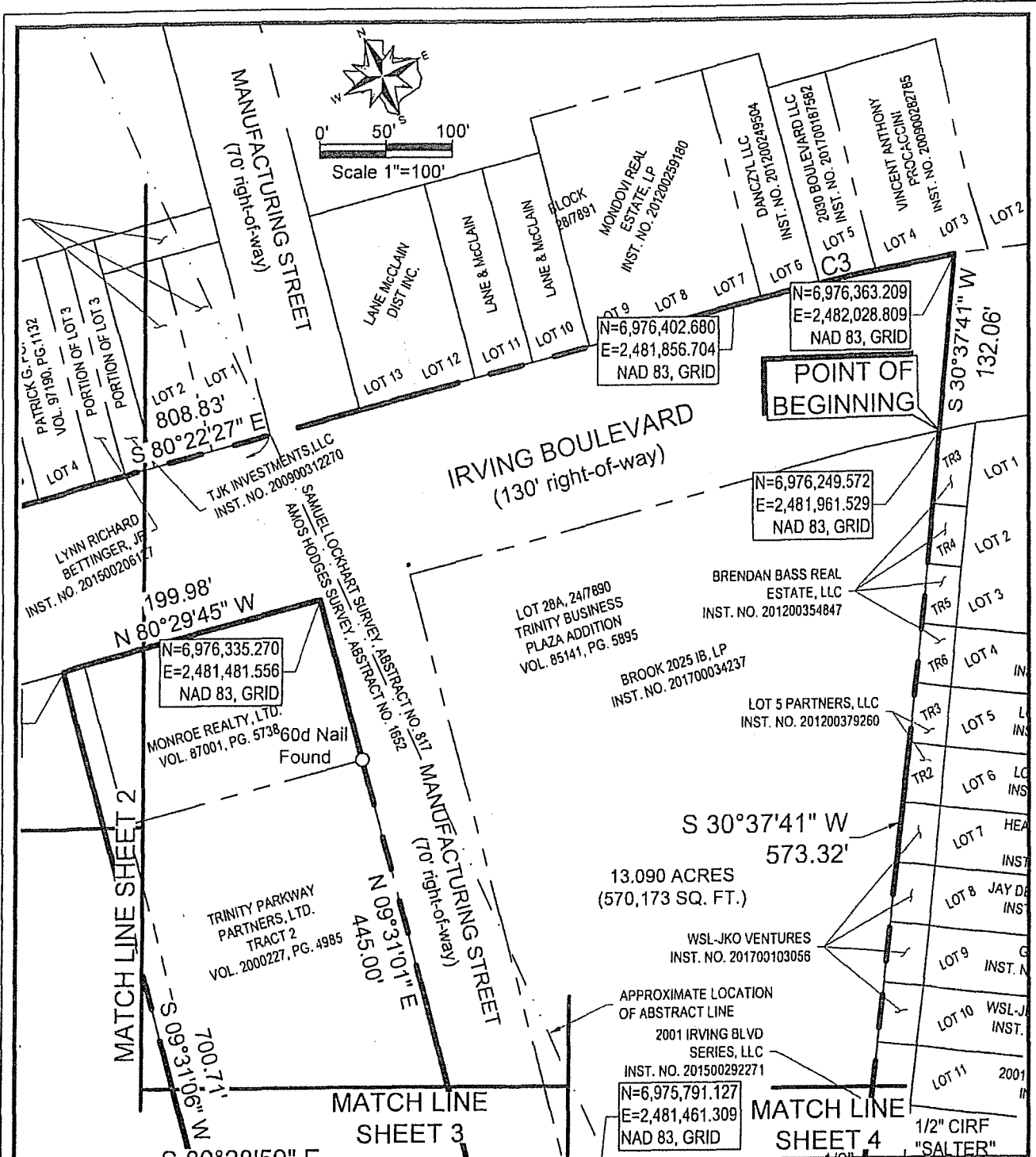
Dwg. File : 47714-MSD

Project No. : 47714.00

MSD SURVEY  
13.090 ACRES  
(570,173 SQ. FT.)

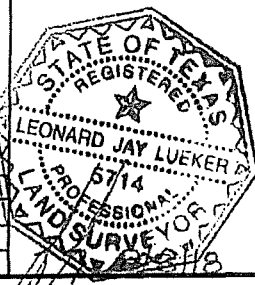
MSD DESIGNATED PROPERTIES  
2121 AND 2025 IRVING BLVD. &  
133 MANUFACTURING ST.  
DALLAS, TX

**KEY  
MAP**



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CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6730 HILLCREST PLAZA DRIVE, SUITE 323 DALLAS, TEXAS 75230  
Texas Engineers Registration No. 89  
Texas Surveyors No. 1009500 Expires 12-31-18  
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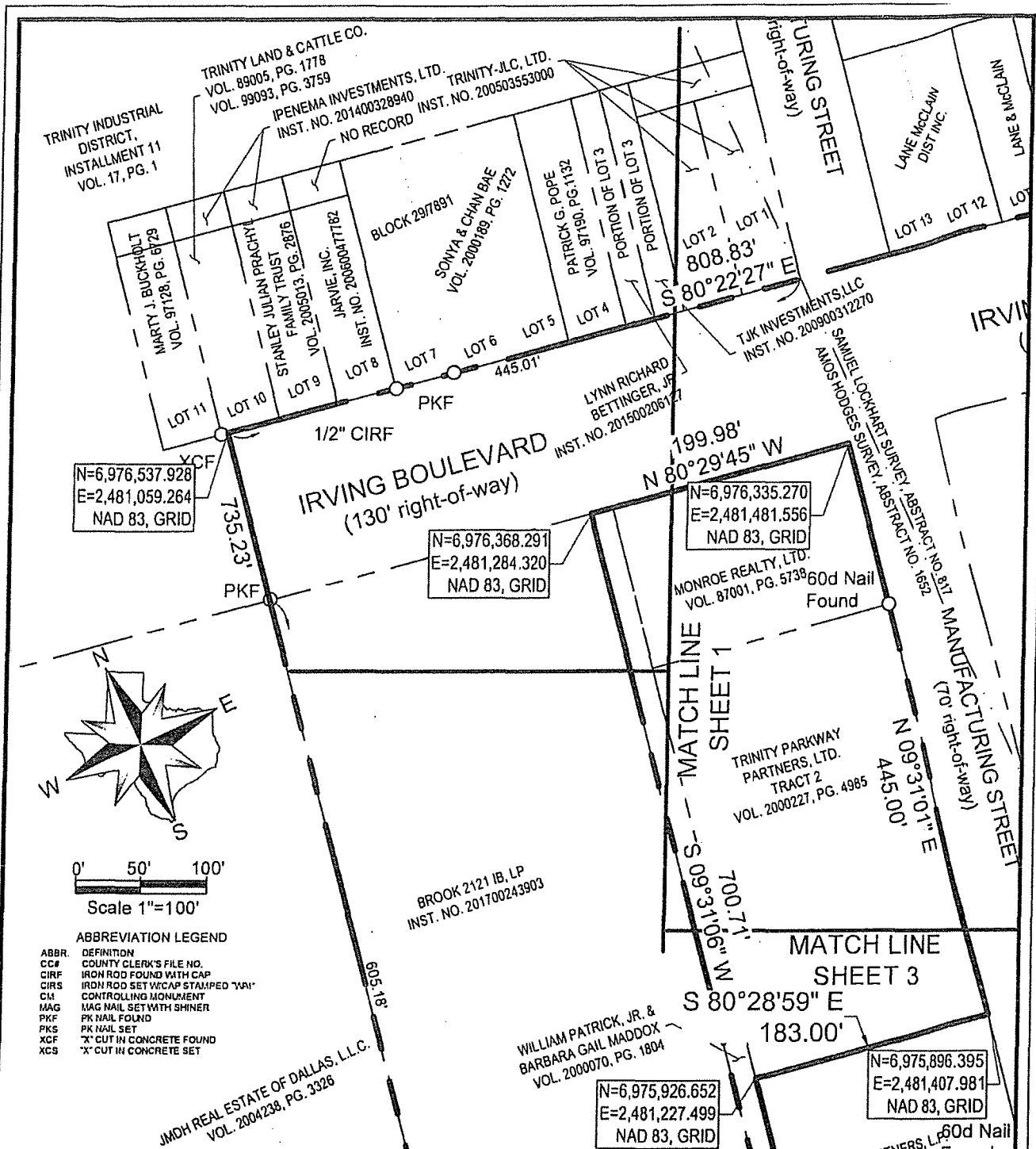
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Date: 02.02.18  
Dwg. File: 47714-MSD  
Project No.: 47714.00



**MSD SURVEY**  
13.090 ACRES  
(570,173 SQ. FT.)

**MSD DESIGNATED PROPERTIES**  
2121 AND 2025 IRVING BLVD. &  
133 MANUFACTURING ST.  
DALLAS, TX

**SHEET**  
**1**  
**OF**  
**7**

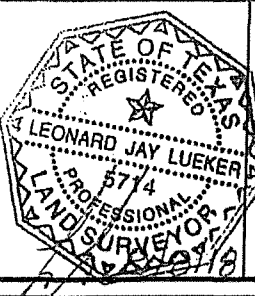


ABBREVIATION LEGEND

ABBR.	DEFINITION
CCF	COUNTY CLERK'S FILE NO.
CIRF	IRON ROD FOUND WITH CAP
CIRS	IRON ROD SET W/CAP STAMPED "W"
CM	CONTROLLING MONUMENT
MAG	MAG NAIL SET WITH SHINER
PKF	PK NAIL FOUND
PKS	PK NAIL SET
XCF	"X" CUT IN CONCRETE FOUND
XCS	"X" CUT IN CONCRETE SET

**Winkelmann & Associates, Inc.**  
CONSULTING CIVIL ENGINEERS & SURVEYORS  
6750 HILLCREST PLAZA DR., SUITE 325 DALLAS, TEXAS 75250  
Texas Engineers Registration No. 69  
Texas Surveyors No. 1000600 Expires 12-31-18  
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Dwg. File: 47714-MSD  
Project No.: 47714.00

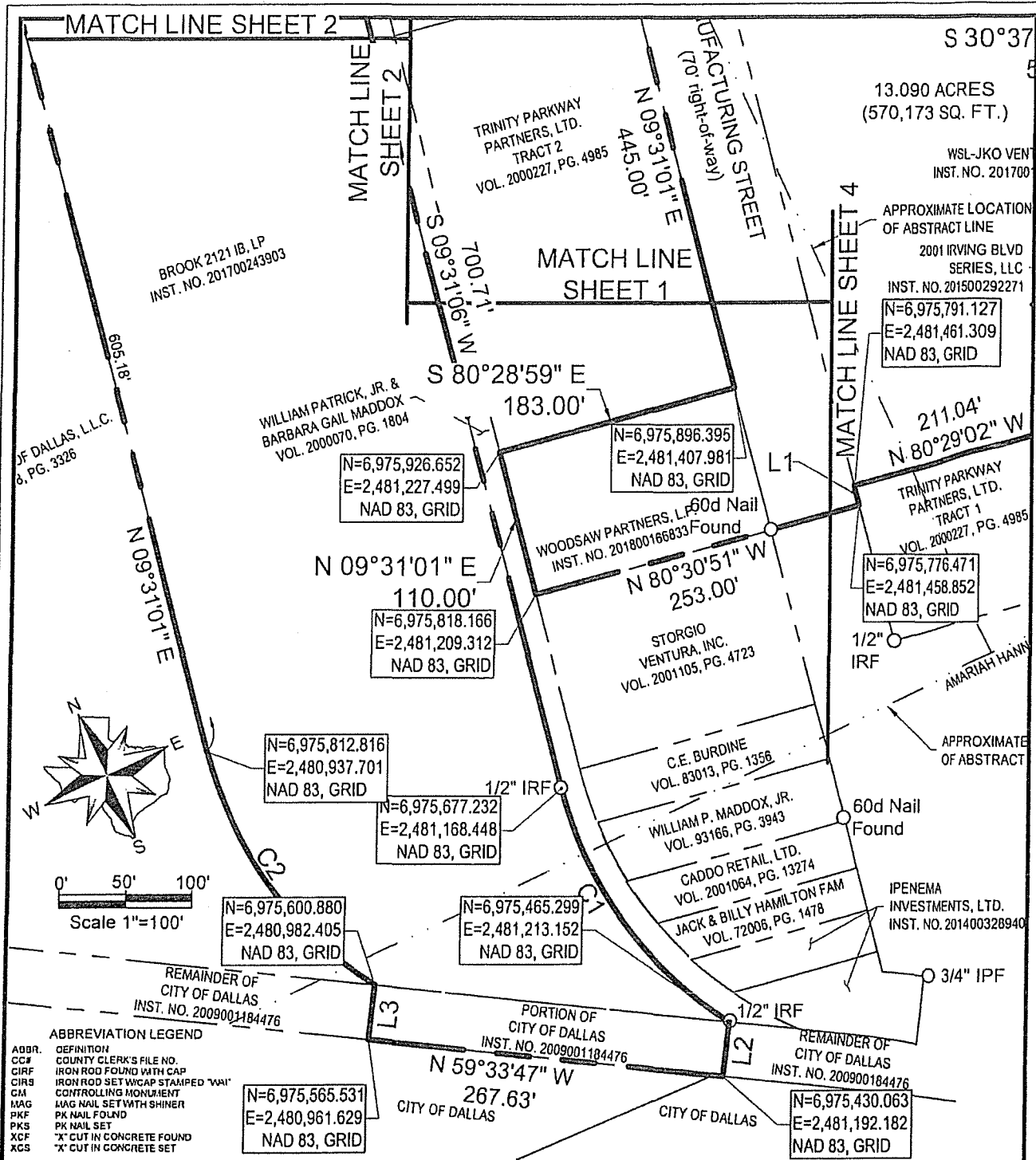


**MSD SURVEY**  
13.090 ACRES  
(570,173 SQ. FT.)

**MSD DESIGNATED PROPERTIES**  
2121 AND 2025 IRVING BLVD. & 133  
MANUFACTURING ST.  
DALLAS, TX

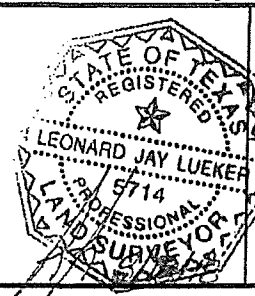
**SHEET**  
**2**  
**OF**  
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G:\47714\SURVEY\Boundary Surveys\47714-MSD.dwg



**Winkelmann & Associates, Inc.**  
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
8758 HILLCREST PLAZA DRIVE, SUITE 323 DALLAS, TEXAS 75238  
(972) 499-7090  
(972) 499-7099 FAX  
Texas Engineers Registration No. 89  
Surveyors Reg. 1006600 Expires 12-31-18  
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Date: 02.02.18
Dwg. File: 47714-MSD
Project No.: 47714.00

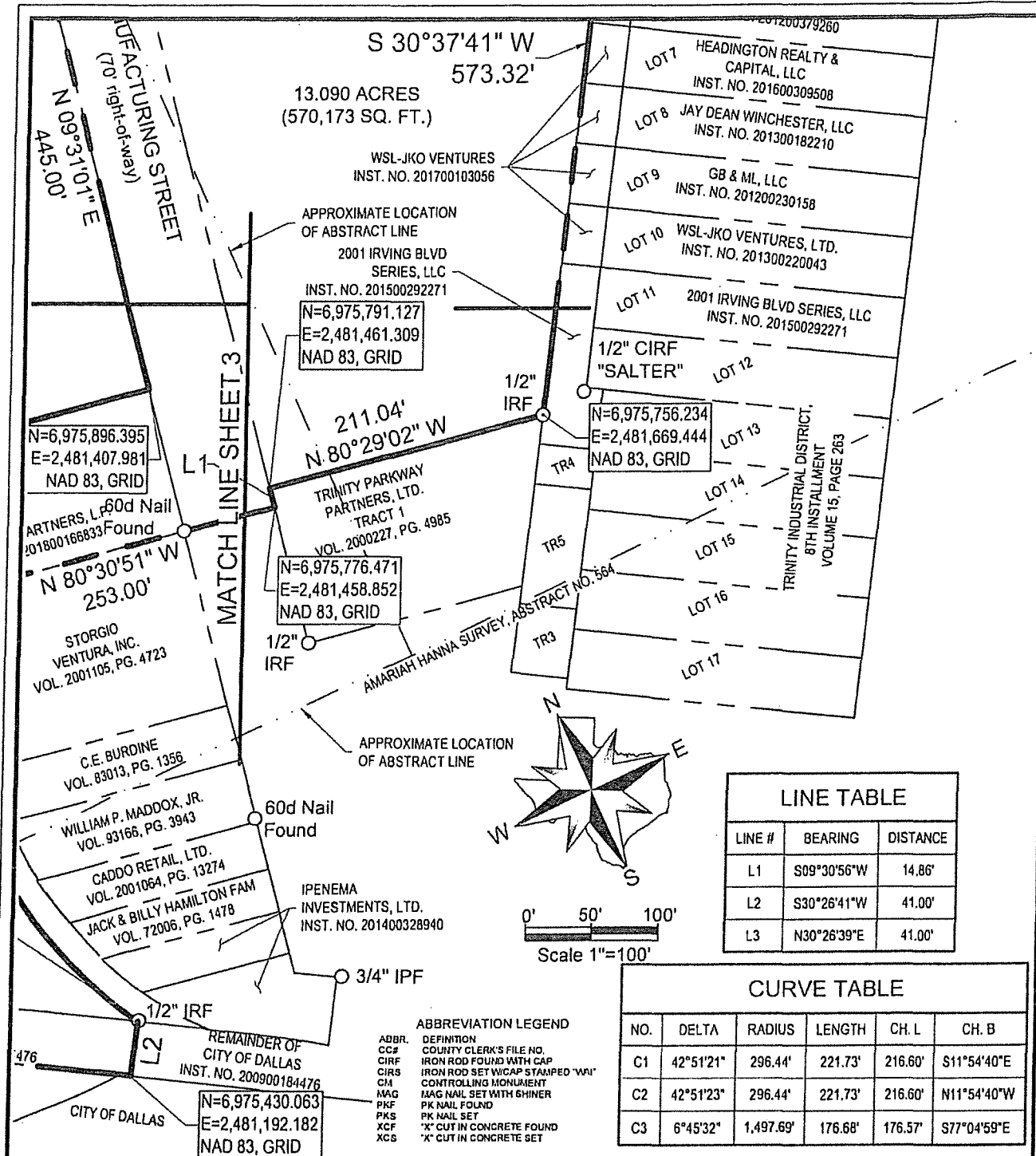


**MSD SURVEY**  
13.090 ACRES  
(570,173 SQ. FT.)

**MSD DESIGNATED PROPERTIES**  
121 AND 205 IRVING BLVD. & 133  
MANUFACTURING ST.  
DALLAS, TX

**SHEET**  
**3**  
**OF**  
**7**

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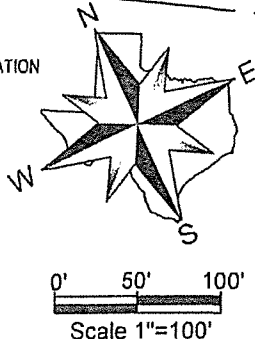


LINE #	BEARING	DISTANCE
L1	S09°30'56\"W	14.86'
L2	S30°26'41\"W	41.00'
L3	N30°26'39\"E	41.00'

NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	42°51'21"	296.44'	221.73'	216.60'	S11°54'40\"E
C2	42°51'23"	296.44'	221.73'	216.60'	N11°54'40\"W
C3	6°45'32"	1,497.69'	176.68'	176.57'	S77°04'59\"E

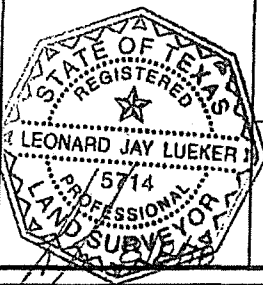
**ABBREVIATION LEGEND**

ABBR. DEFINITION  
 CCF COUNTY CLERK'S FILE NO.  
 CIRF IRON ROD FOUND WITH CAP  
 CIRS IRON ROD SET W/CAP STAMPED "W"
 CM CONTROLLING MONUMENT  
 MAG MAG NAIL SET WITH SHINER  
 PKF PK NAIL FOUND  
 PKS PK NAIL SET  
 XCF "X" CUT IN CONCRETE FOUND  
 XCS "X" CUT IN CONCRETE SET



**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS & SURVEYORS  
 4750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75220  
 (972) 490-7090 (972) 490-7099 FAX  
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 Texas Surveyors No. 10089500 Expires 12-31-18  
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Scale: 1"=100'  
 Date: 02.02.18  
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 Project No.: 47714.00



**MSD SURVEY**  
 13.090 ACRES  
 (570,173 SQ. FT.)

**MSD DESIGNATED PROPERTIES**  
 2121 AND 2025 IRVING BLVD. & 133  
 MANUFACTURING ST.  
 DALLAS, TX

**SHEET**  
**4**  
**OF**  
**7**



MSD SURVEY DESCRIPTION

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEING a tract of land situated in the SAMUEL LOCKHART SURVEY, ABSTRACT NO. 817, AMOS HODGES SURVEY, ABSTRACT NO. 1652 and the AMARIAH HANNA SURVEY, ABSTRACT NO. 564, City of Dallas, Dallas County, Texas and being a portion of the right-of-way of Irving Boulevard (130' right-of-way), a portion of the right-of-way of Manufacturing Street (70' right-of-way), all of the same tract of land as described in deed to Brook 2025 IB, LP, recorded in Instrument No. 201700034237, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), all of a tract of land as described in deed to Woodsaw Partners, L.P., recorded in Instrument No. 201800166833, O.P.R.D.C.T., a tract of land as described in deed to Brook 2121 IB, LP, as recorded in County Clerk's Instrument No. 201700243903, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and a portion of a tract of land as described in deed to City of Dallas, recorded in Instrument No. 200900184476, O.P.R.D.C.T., and being more particularly described as follows:

BEGINNING at a point for corner (N=6,976,249.572, E=2,481,961.529, NAD 83, GRID), said point being situated in the southerly right-of-way line of Irving Boulevard (130' right-of-way) and being the northeasterly corner of Lot 28A, Block 24/7890, Trinity Business Plaza Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 85141, Page 5895, D.R.D.C.T.;

THENCE South 30 deg 37 min 41 sec West, departing the southerly right-of-way line of said Irving Boulevard and along the northwesterly line of Trinity Industrial District, 8th Installment, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 15, Page 263, Map Records, Dallas County, Texas (M.R.D.C.T.), a distance of 573.32 feet to a 1/2-inch iron rod found for corner (N=6,975,756.234, E=2,481,669.444, NAD 83, GRID), said iron rod being the southeasterly corner of said Lot 28A, Block 24/7890 and the northeasterly corner of a tract of land (Tract 1) as described in deed to Trinity Parkway Partners, Ltd., recorded in Volume 2000227, Page 4985, D.R.D.C.T.;

THENCE North 80 deg 29 min 02 sec West, departing the northwesterly line of said Trinity Industrial District, 8th Installment and along the southerly line of said Lot 28A, Block 24/7890 and the northerly line of said Trinity Parkway Partners tract, a distance of 211.04 feet to a point for corner (N=6,975,791.127, E=2,481,461.309, NAD 83, GRID), said point being situated in the easterly right-of-way line of said Manufacturing Street;

THENCE South 09 deg 30 min 56 sec West, departing said common line and along the westerly line of said Trinity Parkway Partners tract and the easterly right-of-way line of said Manufacturing Street, a distance of 14.86 feet to a point for corner (N=6,975,776.471, E=2,481,458.852, NAD 83, GRID);

THENCE North 80 deg 30 min 51 sec West, departing said common line and over and across the right-of-way of said Manufacturing Street and along the southerly line of said Woodsaw Partners, L.P. tract, a distance of 253.00 feet to a point for corner (N=6,975,818.166, E=2,481,209.312, NAD 83, GRID), said point being the southwesterly corner of said Woodsaw Partners, L.P. tract and the northwesterly corner of a tract of land as described in deed to Storgio Ventura, Inc., recorded in Volume 20001105, Page 4723, D.R.D.C.T., said point also being situated in the easterly line of a tract of land as described in deed to William Patrick, Jr. and Barbara Gail Maddox, recorded in Volume 2000070, Page 1804, D.R.D.C.T.;

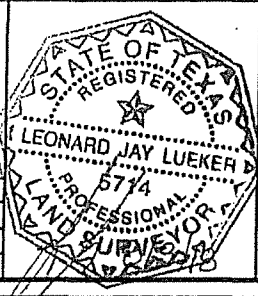
THENCE North 09 deg 31 min 01 sec East, departing said northwesterly line and along the westerly line of said Woodsaw Partners, L.P. tract and the easterly line of said William Patrick, Jr. and Barbara Gail Maddox tract, a distance of 110.00 feet to a point for corner (N=6,975,926.652, E=2,481,227.499, NAD 83, GRID), said point being the northwesterly corner of said Woodsaw Partners, L.P. tract and the southwesterly corner of a tract of land (Tract 2) as described in deed to said Trinity Parkway Partners, Ltd.;

THENCE South 80 deg 28 min 59 sec East, departing said easterly line and along the northerly line of said Woodsaw Partners, L.P. tract and the southerly line of said Trinity Parkway Partners, Ltd. (Tract 2), a distance of 183.00 feet to a point for corner (N=6,975,896.395, E=2,481,407.981, NAD 83, GRID), said point being situated in the westerly right-of-way line of said Manufacturing Street;

(CONTINUED ON SHEET 6)

**Winkelmann & Associates, Inc.**  
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090  
DALLAS, TEXAS 75230 (972) 490-7099 FAX  
Texas Engineers Registration No. 69  
Texas Surveyors No. 10036500 Expires 12-31-18  
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Date: 02.02.18  
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Project No.: 47714.00



MSD SURVEY  
13.090 ACRES  
(570,173 SQ. FT.)

MSD DESIGNATED PROPERTIES  
2121 AND 2025 IRVING BLVD. & 133  
MANUFACTURING ST.  
DALLAS, TX

SHEET  
**5**  
OF  
**7**

MSD SURVEY DESCRIPTION (continued)

THENCE North 09 deg 31 min 01 sec East, departing the northerly line of said SHS Capital tract and along said westerly right-of-way line and the easterly line of said Trinity Parkway Partners (Tract 2) and the easterly line of a tract of land as described in deed to Monroe Realty, Ltd., recorded in Volume 87001, Page 5738, D.R.D.C.T., a distance of 445.00 feet to a point for corner (N=6,976,335.270, E=2,481,481.556, NAD 83, GRID), said point being the northeasterly corner of said Monroe Realty tract and being situated in the southerly right-of-way line of said Industrial Boulevard;

THENCE North 80 deg 29 min 45 sec West, departing said westerly right-of-way line and the easterly line of said Monroe Realty tract and along the northerly line of said Monroe Realty tract and the southerly right-of-way line of said Irving Boulevard, a distance of 199.98 feet to a point for corner (N=6,976,368.291, E=2,481,284.320, NAD 83, GRID), said point being the northwesterly corner of said William Patrick, Jr. and Barbara Gail Maddox tract, said point also being the northwest corner of said Brook 2121 IB, LP tract;

THENCE South 09 deg 31 min 06 sec West, departing the southerly right-of-way line of said Irving Boulevard, and along the westerly line of said William Patrick, Jr. and Barbara Gail Maddox tract, a distance of 700.71 feet to a 1/2-inch iron rod found for corner (N=6,975,677.232, E=2,481,168.448, NAD 83, GRID) and the beginning of a curve to the left having a radius of 296.44 feet, a central angle of 42 deg 51 min 21 sec, a chord bearing of South 11 deg 54 min 40 sec East and a chord length of 216.60 feet;

THENCE continuing along said westerly line and said curve to the left, an arc distance of 221.73 feet to a 1/2-inch iron rod found for corner (N=6,975,465.299, E=2,481,213.152, NAD 83, GRID) situated in the northerly line of a tract of land as described in deed to T. & P. Railroad Company, recorded in Volume 4517, Page 333, D.R.D.C.T.;

THENCE South 30 deg 26 min 41 sec West, along the easterly line of said City of Dallas tract, a distance of 41.00 feet to a point for corner (N=6,975,430.063, E=2,481,192.182, NAD 83, GRID) situated in the southerly line of said T. & P. Railroad Company tract;

THENCE North 59 deg 33 min 47 sec West, along the southerly line of said City of Dallas tract, a distance of 267.63 feet to a point for corner (N=6,975,565.531, E=2,480,961.629, NAD 83, GRID);

THENCE North 30 deg 26 min 39 sec East, over and across said City of Dallas tract, a distance of 41.00 feet to a point for corner (N=6,975,600.880, E=2,480,982.405, NAD 83, GRID) situated in the northerly line of said T. & P. Railroad Company tract and being the southwest corner said Brook 2121 IB, LP tract, said point also being the beginning of a non-tangent curve to the right having a radius of 296.44 feet, a central angle of 42 deg 51 min 23 sec, a chord bearing of North 11 deg 54 min 40 sec West and a chord length of 216.60 feet;

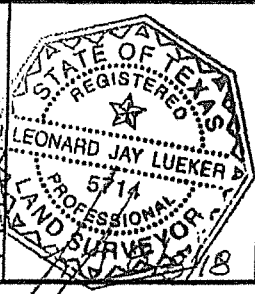
THENCE departing the northerly line of said T. & P. Railroad Company tract and along the westerly line of said Brook 2121 IB, LP tract and said non-tangent curve to the right, an arc distance of 221.73 feet to a point for corner (N=6,975,812.816, E=2,480,937.701, NAD 83, GRID);

THENCE North 09 deg 31 min 01 sec East, along the westerly line of said Brook 2121 IB, LP tract, at a distance of 605.18 feet, passing the southerly right-of-way line of said Irving Boulevard, in all a total distance of 735.23 feet to a point for corner (N=6,976,537.928, E=2,481,059.264, NAD 83, GRID) situated in the southerly line Lot 10, Block 29/7891, Trinity Industrial District, Installment 11, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 17, Page 1, M.R.D.C.T. and being situated in the northerly right-of-way line of said Irving Boulevard;

THENCE South 80 deg 22 min 27 sec East, along the southerly line of said Trinity Industrial District, Installment 11 and the northerly right-of-way line of said Irving Boulevard, at a distance of 445.01 feet, passing the westerly right-of-way line of said Manufacturing Street, in all a total distance of 808.83 feet to a point for corner (N=6,976,402.680, E=2,481,856.704, NAD 83, GRID) said point being situated in the southerly line of Lot 7, Block 28/7891, of said Trinity Industrial District, Installment 11 and being the beginning of a curve to the right having a radius of 1,497.69 feet, a central angle of 06 deg 45 min 32 sec, a chord bearing of South 77 deg 04 min 59 sec East and a chord length of 176.57 feet;

(CONTINUED ON SHEET 7)

**Winkelmann & Associates, Inc.**  
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230  
(972) 490-7090 (972) 490-7090 FAX  
Texas Engineers Registration No. 89  
Texas Surveyors No. 1008500 Expires 12-31-18  
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MSD SURVEY  
13.090 ACRES  
(570,173 SQ. FT.)

SHEET  
**6**  
OF  
**7**

MSD DESIGNATED PROPERTIES  
2121 AND 2025 IRVING BLVD. & 133  
MANUFACTURING ST.  
DALLAS, TX

Scale : N/A  
Date : 02.02.18  
Dwg. File : 47714-MSD  
Project No. : 47714.00

MSD SURVEY DESCRIPTION (continued)

THENCE continuing along said common line and along said curve to the right, an arc distance of 176.68 feet to a point for corner (N=6,976,363.209, E=2,482,028.809, NAD 83, GRID) situated in the southerly line of Lot 3, Block 28/7891 of said Trinity Industrial District, Installment 11;

THENCE South 30 deg 37 min 41 sec West, departing said common line and over and across the said right-of-way line of Irving Boulevard, a distance of 132.06 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 13.090 acres or 570,173 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 30th day of January, 2018, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS Network.

**Winkelmann & Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090  
DALLAS, TEXAS 75230 (972) 480-7090 FAX

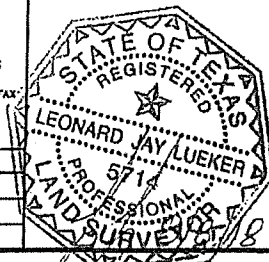
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MSD SURVEY  
13.090 ACRES  
(570,173 SQ. FT.)

MSD DESIGNATED PROPERTIES  
2121 AND 2025 IRVING BLVD. & 133  
MANUFACTURING ST.  
DALLAS, TX

SHEET  
7  
OF  
7

# Exhibit B

## Municipal Setting Designation

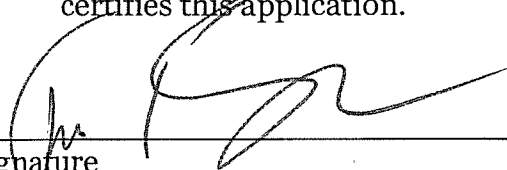
### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared  
John T. Sughrue, as an authorized representative of  
Brook 2121 IB, LP, 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

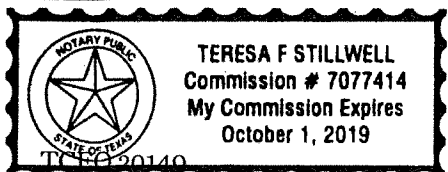
Date: 11/29/2018

John T. Sughrue  
\_\_\_\_\_  
Printed Name

President of JTS 2121 GP, Inc., the General Partner of Brook 2121 IB, LP, the Applicant  
\_\_\_\_\_  
Title

STATE OF Texas  
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 29<sup>th</sup> day of  
NOVEMBER 2018, to which witness my hand and seal of office.



Teresa F. Stillwell  
\_\_\_\_\_  
Notary Public in and for the State of TEXAS