

MSD 39 MSD 37  
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Cert

Kathleen Hartnett White, *Chairman*  
Larry R. Soward, *Commissioner*  
H. S. Buddy Garcia, *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 28, 2007

Ms. Deborah Watkins, City Secretary  
City of Dallas  
City Hall  
1500 Marilla  
Dallas, TX 75201

Re: Municipal Setting Designation Certification (MSD) for Wood Partners, 1531  
Inspiration Drive, Dallas, TX; MSD No. 037

Dear Ms. Watkins:

As required by Texas Health and Safety Code §361.807(a)(2), enclosed is a copy of the MSD Certificate for the above-referenced property. The application was certified on June 25, 2007. The City of Dallas passed an ordinance (Ordinance No. 26756) 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 512/239-5872.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Frew".

Mike Frew  
Environmental Cleanup Section II  
Remediation Division

Enclosure

MF/pk

# Texas Commission on Environmental Quality



## Municipal Setting Designation Certificate 037

As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Glenn Shankle, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for Wood Partners, 1531 Inspiration Drive, Dallas, 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 23 day of August, 2007.

A handwritten signature in black ink, appearing to read "Glenn Shankle", written over a horizontal line.

Glenn Shankle  
Executive Director  
Texas Commission on Environmental Quality

Exhibit 'A'

MSD APPLICATION  
Description of Property  
Located at 1531 Inspiration Drive  
& A Portion of Inspiration Drive  
City of Dallas, Dallas County, Texas

BEING a 6.398 acre tract of land situated in the John Grigsby Survey, Abstract No. 495 and the C.G. Cole Survey, Abstract No. 271, and being part of City Blocks 1226 and 1273, City of Dallas, Dallas County, Texas, and being all of that same tract of land conveyed to J. C. Anderson and described as Tract 2 In General Warranty Deed recorded in Volume 83056, Page 3193, Deed Records, Dallas County, Texas, and being a portion of Inspiration Drive as granted and conveyed to City of Dallas as an easement and right of way for street and road purposes by deeds recorded in Volume 3096, Page 374 and Volume 4250, Page 642, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the intersection of the northwest line of Inspiration Drive (70 foot right of way) with the present westerly line of Stemmons Freeway (variable width), same being the most southwest corner of that certain called 0.262 acre tract of land conveyed to Texas Turnpike Authority by Deed filed January 20, 1967, recorded in Volume 67015, Page 1178, Deed Records, Dallas County, Texas;

THENCE South 11 degrees 08 minutes 47 seconds East, a distance of 82.67 to a 1/2 inch iron rod found in the southeast line of Inspiration Drive, same being the most north corner of Inspiration Addition, an Addition to the City of Dallas, Texas, according to the Map thereof recorded in Volume 67047, Page 210, Deed Records, Dallas County, Texas;

THENCE South 46 degrees 43 minutes 00 seconds West and parallel with the northwest line of Inspiration Drive, a distance of 800.91 feet to a 5/8 inch iron rod found for corner;

THENCE North 33 degrees 00 minutes 49 seconds West, a distance of 71.14 feet to a 5/8 inch iron rod found at the most south corner of said J. C. Anderson tract, and being the most southerly east corner of Lot 30, Block 48/1003 of Trinity Industrial District Installment No. 15, an Addition to the City of Dallas, Texas, according to the Map thereof recorded in Volume 24, Page 225, Map Records, Dallas County, Texas;

THENCE North 23 degrees 17 minutes 50 seconds West along the most southerly easterly line of said Lot 30, a distance of 77.75 feet to a 1/2 inch iron rod with yellow plastic cap marked "SHIELDS & LEE" set at the beginning of a curve to the right having a central angle of 08 degrees 10 minutes 15 seconds and a radius of 366.40 feet;

THENCE Northwesterly continuing along said easterly line of Lot 30 and along said curve to the right whose chord bears North 19 degrees 12 minutes 42 seconds West, an arc distance of 52.25 feet to a 1/2 inch iron rod with yellow plastic cap marked "SHIELDS & LEE" set at the end of said curve and the beginning of a curve to the right having a central angle of 59 degrees 52 minutes 04 seconds and a radius of 279.44 feet;

THENCE Northeasterly continuing along the easterly line of Lot 30 and along said curve to the right whose chord bears North 14 degrees 48 minutes 27 seconds East, an arc distance of 291.98 feet to a 1/2 inch iron rod with yellow plastic cap marked "SHIELDS & LEE" set at the end of said curve;

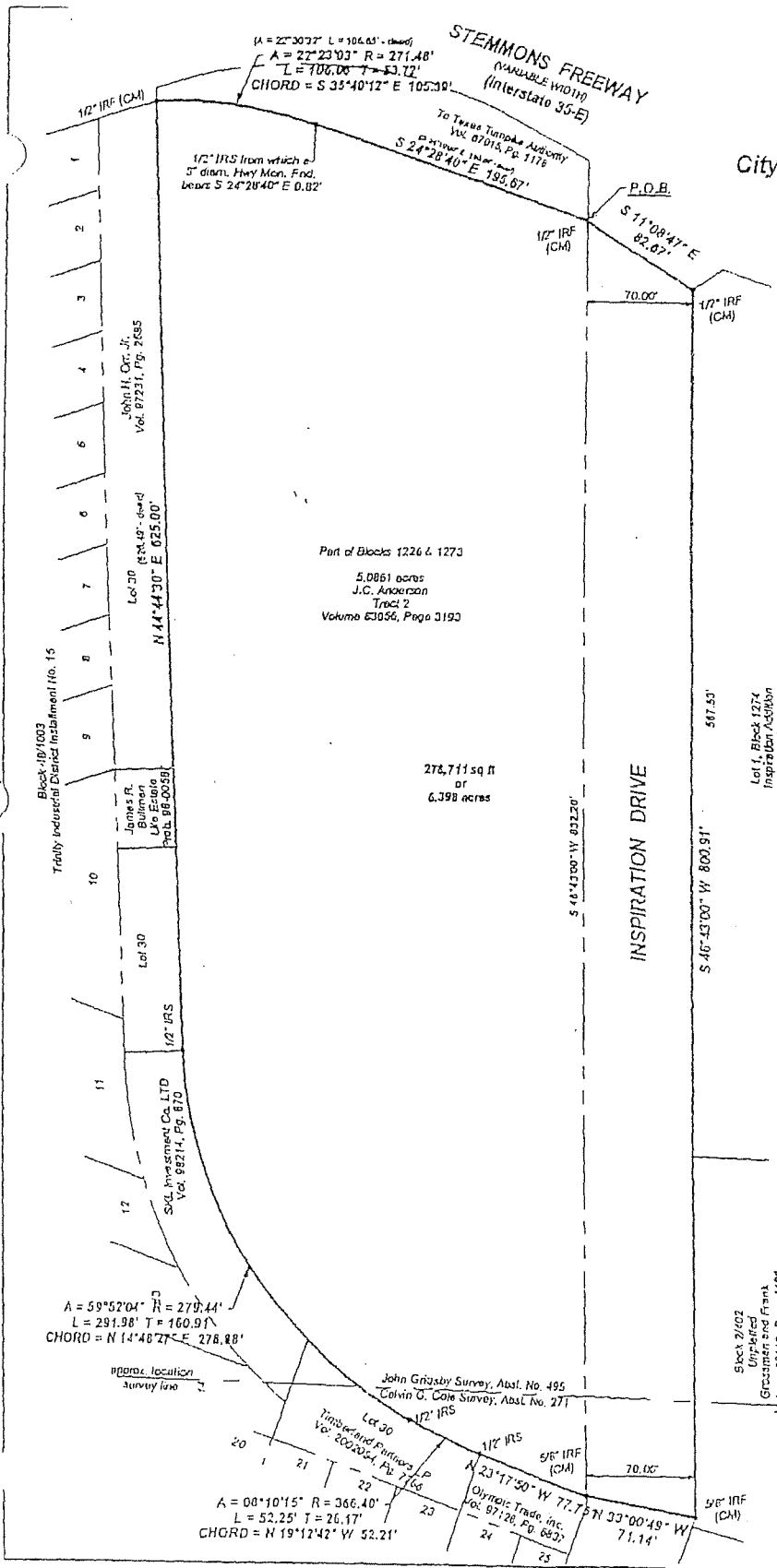
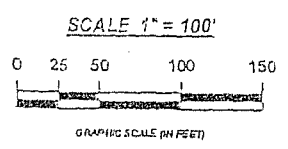
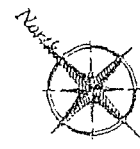
THENCE North 44 degrees 44 minutes 30 seconds East along the most northerly southeast line of Lot 30, a distance of 625.00 feet to a 1/2 inch iron rod found at the northwest corner of said Texas Turnpike Authority tract, same being the present westerly line of Stemmons Freeway and a non-tangent curve to the right having a central angle of 22 degrees 23 minutes 03 seconds and a radius of 271.48 feet;

THENCE Southeasterly along the westerly line of said Texas Turnpike Authority tract, the westerly line of Stemmons Freeway and said curve to the right whose chord bears South 35 degrees 40 minutes 12 seconds East, an arc distance of 106.06 feet to a 1/2 inch iron rod with yellow plastic cap marked "SHIELDS & LEE" set at the end of said curve;

THENCE South 24 degrees 28 minutes 40 seconds East continuing along the westerly line of Stemmons Freeway and passing a 3 inch diameter Highway Monument found at a distance of 0.82 feet and continuing for a total distance of 195.67 feet to the PLACE OF BEGINNING and containing 278,711 square feet or 6.398 acres of land, more or less.

*W. R. L.*  
5-31-06

**MSD APPLICATION**  
 Property located at  
 1531 Inspiration Drive  
 & Part of Inspiration Drive  
 City of Dallas, Dallas County, Texas



W. R. Lee  
 Registered Professional Land Surveyor No. 2038  
 Dated May 31, 2006

Basis of bearings:  
 Deed Vol. 83056, Pg. 3193, DRVDCT

**Shields and Lee Surveyors**  
 1421 Ferndale Avenue  
 Dallas, Texas 75224  
 Phone (214) 942-8196  
 Fax (214) 941-7229

Received  
 JUN - 5 2007  
 Environmental Cleanup II



**Municipal Setting Designation Application Form**

<b>TCEQ Office Use Only:</b>	Date Add. Info Req. / /
Application No: 039	Date Add. Info Rec'd / /
Date Received: 6/5/07	Date Certified: / /
	Date Denied: / /

**Reset Form**

**Municipal Setting Designation Eligibility Criteria:**

Is the proposed municipal setting designation (MSD) within the corporate limits of a municipality authorized by statute that has a population of at least 20,000? (See most recent <i>place</i> population estimate reported at <a href="http://txsdc.utsa.edu/tpepp/txpopest.php">http://txsdc.utsa.edu/tpepp/txpopest.php</a> .)	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>1</sup>
Is the proposed municipal setting designation (MSD) within the extraterritorial jurisdiction of a municipality authorized by statute that has a population of at least 20,000? (See most recent <i>place</i> population estimate reported at <a href="http://txsdc.utsa.edu/tpepp/txpopest.php">http://txsdc.utsa.edu/tpepp/txpopest.php</a> .)	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>1</sup>
Municipality name: Dallas	Population: 1,188,580	
Is there a public drinking water supply system that satisfies the requirements of THSC Chapter 341 and supplies or is capable of supplying drinking water to: a) the proposed MSD property, and b) each property within 0.5 miles beyond the boundary of the proposed MSD?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>1</sup>
<sup>1</sup> If No, the eligibility criteria are not met. Do not submit an application.		

**Applicant and Fee Payment Information:**

Contact Person: <input checked="" type="radio"/> Mr. <input type="radio"/> Ms. Patrick Trask		
Title: Director		
Company: Wood Partners		
Mailing Address: 8 Greenway Plaza, Suite 600		
City: Houston	State: TX	Zip: 77046
Telephone: 713 / 439-7900 Ext. 103	Telefax: 713 / 439-7901	
E-mail Address: [REDACTED]		
Is the required \$1,000 application being submitted to TCEQ in advance or at the same time the MSD application is being submitted to TCEQ?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>2</sup>
<sup>2</sup> Do not submit application.		

**MSD Property Address:**

Street Address: 1531 Inspiration Dr.	Zip: 75207
City: Dallas	Acres: ~5.09
County: Dallas	
If multiple properties provide an attachment to the application providing the above information for each property.	

**Notice Information:**

<u>On or before</u> the date of submission of the application to TCEQ, was notice provided to:		
a) each municipality:		
1) where the proposed MSD is located?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>4</sup>
2) with a border within 0.5 miles beyond the proposed MSD boundaries?	<input type="radio"/> Yes	<input type="radio"/> No <sup>3</sup> <input checked="" type="radio"/> NA <sup>4</sup>
3) that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input type="radio"/> Yes	<input type="radio"/> No <sup>3</sup> <input checked="" type="radio"/> NA <sup>4</sup>
b) each current owner of a private well registered with the commission and located within five miles beyond the proposed MSD boundaries?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>3</sup> <input type="radio"/> NA <sup>4</sup>

# 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 <sup>3</sup>	<input type="radio"/> NA <sup>4</sup>
<sup>3</sup> Do not submit application.			
<sup>4</sup> 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. VCP No. 1999		
Is the proposed designated groundwater contaminated in excess of an applicable potable water <sup>5</sup> use standard (i.e., 30 TAC 350, <sup>GW</sup> GW <sub>ing</sub> )?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>6</sup>
Was the groundwater contamination previously reported to the TCEQ? (To support implementation of HB 3030, 78 <sup>th</sup> Legislature.)	<input checked="" type="radio"/> Yes, when? 12 / 12 / 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 <sup>6</sup>	<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 <sup>6</sup>	<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 <sup>6</sup>
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 type="radio"/> Yes	<input type="radio"/> No
<sup>5</sup> "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)].		
<sup>6</sup> Do not submit an application.		

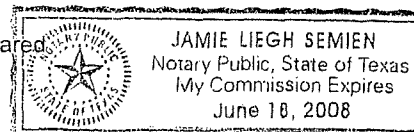
I affirmatively state that (place an X in all applicable blanks):

- 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.

By: Alta Design Districts LLC  
 By: Patrick Trask, VP  
 Applicant Signature

Date 5/26/07

Before me Jamie Semien the undersigned authority, on this day personally appeared Patrick Trask  
 Name of Notary Name of Applicant  
 and signed this Municipal Setting Designation Application.



Sworn, subscribed and signed before me in the County of Harris, State of TX, on the 29<sup>th</sup> day of May, this month of May, 2007.