

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 13, 2015

Mr. Chad Jackson
Broadstone Farmers Market Property Owner, LLC
8111 Preston Road, Suite 700
Dallas, Texas 75225

Re: Municipal Setting Designation (MSD) Certificate for Broadstone Farmers Market Property Owner, LLC, 1200 & 1204 South Cesar Chavez and 802 & 835 South Good Latimer Expressway West, Dallas, Dallas County, TX; MSD No. 299; Customer No. CN604701623; Regulated Entity No. RN101536035

Dear Mr. Jackson:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on August 21, 2015 and additional information supporting this MSD application on October 16, 2015. 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) 239-4940 or via e-mail (Marissa.vara@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script that reads "Marissa A. Vara".

Marissa A. Vara, Project Manager
VCP-CA Section
Remediation Division

MAV/eja

cc: Mr. Kenneth Tramm, Modern Geosciences, 5100 Thompson Terrace, Colleyville, TX

Mr. Sam Barrett, Waste Section Manager, TCEQ Region 4 Office, Dallas/Fort Worth

Enclosure: MSD Certificate

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTINGS 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. 299, 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 4th day of November, 2015

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

LEGAL DESCRIPTION

BEING 9.638 acres of land located in the JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, City of Dallas, Dallas County, Texas. Said 9.638 acres of land being comprised of all of the tract of land designated as Tract 1, and all of the tract of land designated as Tract 2, in the deed to Broadstone Farmers Market Property Owner, LLC, recorded in County Clerk's File No. 201400280269, of the Official Public Records of Dallas County, Texas, and portions of Paris Street, South Good-Latimer Expressway, and South Cesar Chavez Boulevard (Central Expressway-Preston Road) all public right-of-ways. Said 9.638 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the Southwest right-of-way line of S. Good-Latimer Expressway (a 100 foot wide public right-of-way), and also lying in the Northeast boundary line of the tract of land conveyed to 717 S. Good Latimer, LTD., by the deed recorded in Volume 2004024, Page 9353, of the Deed Records of Dallas County, Texas, and said POINT OF BEGINNING being located N 36° 50' 46" W 176.51 feet, from the East corner of said 717 S. Good Latimer, LTD. Tract, and said POINT OF BEGINNING also being located at the East corner of Lot 17, Block 36, Revised Map of Railroad Addition, to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 4, Page 350, of the Map Records of Dallas County, Texas:

THENCE N 53° 09' 09" E 340.00 feet, crossing said S. Good-Latimer Expressway, and running along the Northwest right-of-way line of Paris Street and the Southeast boundary line of Block 43, of aforesaid Revised Map of Railroad Addition, and the Southeast boundary line of the tract of land conveyed to Junie C. Janzen, Trustee, for the Junie C. Janzen Trust, by the deed recorded in Volume 200516, Page 960, of the Deed Records of Dallas County, Texas, to a point at the intersection of the West right-of-way line of East R.L. Thornton Freeway (Interstate Highway No. 30);

THENCE along the West right-of-way line of said East R.L. Thornton Freeway (Interstate Highway No. 30), as follows:

1. S 02° 39' 39" E 97.29 feet, to a point at the North corner of the aforesaid Tract 2, to Broadstone Farmers Market Property Owner, LLC;
2. S 03° 56' 09" W 80.01 feet, along the East boundary line of said Tract 2, to a point;
3. S 30° 24' 17" W 165.95 feet, continuing along the East boundary line of said Tract 2, to Broadstone Farmers Market Property Owner, LLC, to a point at the South corner of said Tract 2, lying in the original Northeast right-of-way line of said South Good-Latimer Expressway (an 80 foot wide right-of-way originally);
4. S 08° 22' 09" W 104.97 feet, crossing said South Good-Latimer Expressway, to a point in the Southwest right-of-way line of said South Good-Latimer Expressway and the Northeast boundary line of Block 35, of aforesaid Revised Map of Railroad Addition, also being the Northeast corner of the aforesaid Tract of land designated as Tract 1, in the deed to Broadstone Farmers Market Property Owner, LLC, recorded in County Clerk's File No. 201400280269, of the Official Public Records of Dallas County, Texas;
5. S 38° 50' 19" W 362.01 feet, along the East boundary line of said Tract 1, to a point;
6. S 43° 28' 22" W 304.29 feet, continuing along the East boundary line of said Tract 1, to a point;
7. N 39° 07' 40" W 3.02 feet, continuing along the East boundary line of said Tract 1, to a point;

8. S 50° 12' 37" W 499.59 feet, continuing along the East boundary line of said Tract 1, and continuing across South Cesar Chavez Boulevard, to a point;

THENCE N 39° 47' 23" W 200.01 feet, to a point at the Southeast corner of a tract of land conveyed to FM Futsal, LTD., by the deed recorded in County Clerk's File No. 201300190269, of the Official Public Records of Dallas County, Texas;

THENCE along the Northeast boundary line of said FM Futsal, LTD., and the Southwest right-of-way line of aforesaid South Cesar Chavez Boulevard, as follows:

1. N 10° 11' 11" W 159.84 feet, to a point;
2. N 32° 25' 25" W 26.46 feet, to a point;

THENCE N 52° 05' 04" E 335.35 feet, crossing said South Cesar Chavez Boulevard and then running along the Northwest boundary line of the aforesaid tract of land designated as Tract 1, in the deed to Broadstone Farmers Market Property Owner, LLC, recorded in County Clerk's File No. 201400280269, to a point;

THENCE N 36° 42' 00" W 93.74 feet, along the Southwest boundary line of said Tract 1, to a point at the West corner of said Tract 1;

THENCE N 53° 11' 13" E 425.07 feet, along the Northwest boundary line of said Tract 1, to Broadstone Farmers Market Property Owner, LLC, to a point at the most Westerly North corner of said Tract 1, lying in the Southwest boundary line of the aforesaid tract of land conveyed to 717 S. Good Latimer, LTD.;

THENCE S 36° 51' 45" E 230.91 feet, along the Northeast boundary line of the aforesaid tract of land designated as Tract 1, to Broadstone Farmers Market Property Owner, LLC, recorded in County Clerk's File No. 201400280269, of the Official Public Records of Dallas County, Texas, and the Southwest boundary line of said 717 S. Good Latimer, LTD. Tract, to a point at the South corner of said 717 S. Good-Latimer, LTD. Tract;

THENCE along the Southeast boundary line of said 717 S. Good Latimer, LTD. Tract and the Northwest boundary line of the aforesaid tract of land designated as Tract 1, in the deed to Broadstone Farmers Market Property Owner, LLC, recorded in County Clerk's File No. 201400280269, of the Official Public Records of Dallas County, Texas, as follows:

1. NORTHEASTERLY 127.08 feet, along a curve to the Right, having a radius of 283.82 feet, a central angle of 25° 39' 14", and a chord bearing N 40° 17' 37" E 126.02 feet, to a point at the end of said curve;
2. N 53° 07' 12" E 197.24 feet, to a point at the East corner of the aforesaid tract of land conveyed to 717 S. Good-Latimer, LTD.;

THENCE N 36° 50' 46" W 176.51 feet, along the Southwest right-of-way line of aforesaid South Good-Latimer Expressway and the Northeast boundary line of the aforesaid tract of land conveyed to 717 S. Good Latimer, LTD., to the POINT OF BEGINNING containing 9.638 acres of land.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

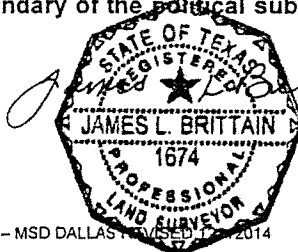
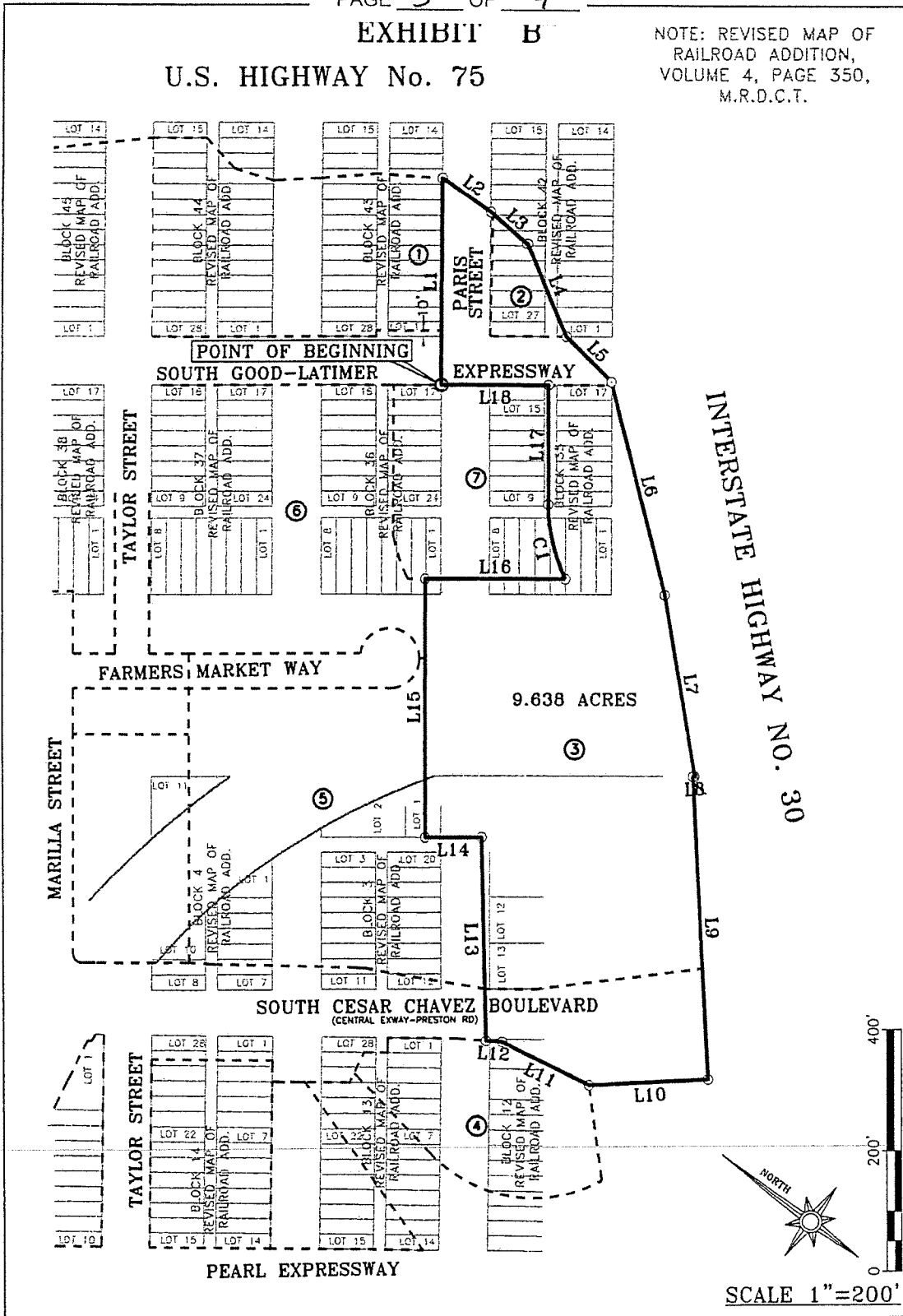


EXHIBIT B

U.S. HIGHWAY No. 75

NOTE: REVISED MAP OF
RAILROAD ADDITION,
VOLUME 4, PAGE 350,
M.R.D.C.T.



DALLAS COUNTY, TEXAS
DALLAS FARMERS MARKET DISTRICT

PAGE 3 OF 4



BRITTAIN & CRAWFORD
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PREPARED OCTOBER 22, 2014

MSD EXHIBIT MAP
OF
9.638 ACRES OF LAND

LOCATED IN
THE JOHN GRIGSBY SURVEY,
ABSTRACT No. 495,
DALLAS, DALLAS COUNTY, TEXAS



EXHIBIT D

OWNERSHIP TABLE

①
JUNIE C. JANZEN, TRUSTEE FOR
THE JUNIE C. JANZEN TRUST
VOLUME 2005176, PAGE 960,
D.R.D.C.T.

⑤
WDF-3 WOOD FARMERS MARKET
OWNER, LLC
DOC.# 201400090565
O.P.R.D.C.T.

②
BROADSTONE FARMERS MARKET
PROPERTY OWNER, LLC
DOC.# 201400280269
O.P.R.D.C.T. - TRACT 2

⑥
WDF-3 WOOD FARMERS
MARKET OWNER, LLC
DOC.# 201400090565
O.P.R.D.C.T.

③
BROADSTONE FARMERS MARKET
PROPERTY OWNER, LLC
DOC.# 201400280269
O.P.R.D.C.T. - TRACT 1

⑦
717 S. GOOD LATIMER, LTD.
VOLUME 2004024, PAGE
9353, D.R.D.C.T.

④
FM FUTSAL, LTD.
DOC.#201300190269
O.P.R.D.C.T.

LINE TABLE

Course	Bearing	Distance
L1	N 53°09'09" E	340.00'
L2	S 02°39'39" E	97.29'
L3	S 03°56'09" W	80.01'
L4	S 30°24'17" W	165.95'
L5	S 08°22'09" W	104.97'
L6	S 38°50'18" W	362.01'
L7	S 43°28'22" W	304.29'
L8	N 39°07'40" W	3.02'
L9	S 50°12'37" W	499.59'
L10	N 39°47'23" W	200.01'
L11	N 10°11'11" W	159.84'
L12	N 32°25'25" W	26.46'
L13	N 52°05'04" E	335.35'
L14	N 36°42'00" W	93.74'
L15	N 53°11'13" E	425.07'
L16	S 36°51'45" E	230.91'
L17	N 53°07'12" E	197.24'
L18	N 36°50'46" W	176.51'

CURVE TABLE

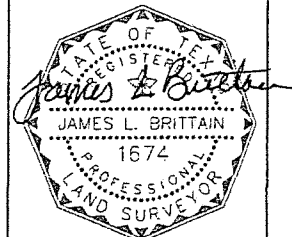
Curve	Radius	Length	Delta	Chord	Chord Bear.
C1	283.82'	127.08'	25°39'14"	126.02'	N 40°17'37" E

DALLAS COUNTY, TEXAS
DALLAS FARMERS MARKET DISTRICT

PAGE 4 OF 4

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MSD EXHIBIT MAP
OF
9.638 ACRES OF LAND
LOCATED IN
THE JOHN GRIGSBY SURVEY,
ABSTRACT No. 495,
DALLAS, DALLAS COUNTY, TEXAS



PREPARED OCTOBER 22, 2014

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Chad Jackson, as an authorized representative of Broadstone Farmers Market Property Owner, 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.

Chad Jackson
Signature

Date: 8-17-15

Chad Jackson

Printed Name

Member

Title

STATE OF Texas

COUNTY OF Dallas



SUBSCRIBED AND SWORN before me on this the 17 day of August 2015, to which witness my hand and seal of office.

Vermsa Aureis Crawford
Notary Public in and for the State of Texas