

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

March 30, 2016

Ms. Ann Stevenson, Chief Administrative Officer
Uplift Education
1825 Market Center Boulevard
Dallas, TX 75207

Re: Municipal Setting Designation (MSD) Certificate for Uplift Education, 2625 Elm Street, Dallas, Dallas County, TX; MSD No. 300; Regulated Entity No. RN106373913; Customer No. CN603709213

Dear Ms. Stevenson:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on August 31, 2015 and additional information supporting this MSD application on March 10, 2016. 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) 239-2241 or via e-mail (chris.swiderski@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Swiderski".

Chris Swiderski, Project Manager
VCP-CA Section
Remediation Division

CS/jdm

cc: Mr. Scott Kolodziej, P.G., Terracon Consultants, Inc., 8901 Carpenter Freeway, Dallas, TX 75247
Mr. Sam Barrett, TCEQ, Waste Section Manager, DFW Regional Office, MC R-4

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. 300, 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 29th day of March, 2016

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

"EXHIBIT A"
MUNICIPAL SETTING DESIGNATION SURVEY
2625 ELM STREET
J. GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 3.626 acre tract of land situated in the City and County of Dallas, Texas and being in the John Grigsby Survey, Abstract No. 495, being part of Block 286 in Shepherd's Monument Triangle Addition as recorded in Volume Y, Page 676, Deed Records, Dallas County, Texas, being part of Block C/483 in Eliza McCoy Addition as recorded in Volume 150, Page 407, Deed Records, Dallas County, Texas, being a tract of land conveyed to HRT Properties of Texas, LTD., a Texas limited partnership by special warranty deed recorded in Volume 2004151, Page 5165, Deed Records, Dallas County, Texas, being part of Indiana Street (47.6' right-of-way), being part of Crowdus Street (50' right-of-way), being part of a 20' alley, being part of Elm Street (60' right-of-way), being part of a 13' alley, being part of Monument Street (25' right-of-way) and being more particularly described as follows:

BEGINNING at a MAG nail in concrete set for corner in the northwest line of Indiana Street, said nail being the southeast corner of Lot 8A, Block E/485, Yahoo Addition, an addition to the City of Dallas, Dallas County, Texas, according to the map or plat recorded in Volume 2001043, Page 653, Official Public Records, Dallas County, Texas and the southwest corner of Lot 2A, Block F/486, of said Yahoo Addition;

THENCE South 14° 16' 30" East, departing the northwest line of said Indiana Street and along the northeast line of said Crowdus Street, a distance of 167.60 feet to a point for corner at the intersection of the northeast line of said Crowdus Street and the southeast line of said 20' alley, said point being the most westerly corner of a tract of land conveyed to Scott E. Magers and Douglas E. Aldrige by Special Warranty Deed recorded in Volume 2000013, Page 5271, Deed Records, Dallas County, Texas;

THENCE South 76° 04' 00" West, departing the northeast line of said Crowdus Street, along the southeast line of said 20' alley a distance of 399.69 feet to a point for corner in the northeast line of Lot 1A, City Block 286, Northrup-Boyettt Addition, an addition to the City of Dallas, Dallas County, Texas, according to the map or plat recorded in Volume 90157, Page 2146, Deed Records, Dallas County, Texas;

THENCE North 13° 56' 00" West, departing the southeast line of said 20' alley and along the northeast line of said Lot 1A, a distance of 0.72 feet to a 1/2" iron rod found for corner at the northwesterly edge of a three story building and in the northwesterly line of a tract of land conveyed to Elm Street Lofts, Ltd. by Special Warranty Deed with Vendor's Lien recorded in Volume 99213, Page 4759, Deed Records, Dallas County, Texas, said rod being the northeast corner of said Lot 1A;

THENCE along said northwesterly line of said Lot 1A and said Elm Street Lofts, Ltd. tract the following calls:

South 75° 53' 00" West along said northwesterly edge of said three story building a distance of 25.51 feet to chiseled "X" in concrete found for corner;

North 65° 31' 00" West a distance of 16.10 feet to a chiseled "X" in concrete set for corner;

South 75° 53' 00" West a distance of 16.20 feet to a point for corner at the northeasterly edge of a two story building;

(For SPRG use only)
Reviewed By: _____
Date: _____
SPRG NO.: _____

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CITY OF DALLAS, DALLAS COUNTY, TEXAS

South 18° 49' 00" East along the northeasterly edge of said two story building a distance of 2.00 feet to a point for corner;

South 71° 11' 00" West along the northeasterly edge of said two story building a distance of 9.05 feet to a point for corner;

THENCE South 15° 11' 00" East along the northeasterly edge of said two story building and along the common line between said HRT Properties of Texas, Ltd. tract and said Lot 1A, passing at a distance of 107.82 feet the northwesterly line of said Elm Street, continuing a total distance of 167.84 feet to a chiseled "X" in concrete set for corner in the southeast line of said Elm Street;

THENCE South 76° 04' 00" West along the southeast line of said Elm Street a distance of 240.30 feet to a chiseled "X" in concrete set for corner;

THENCE North 13° 56' 00" West, departing the southeast line of said Elm Street and passing at a distance of 60.00 feet the northwest line of said Elm Street, continuing along the southwest line of said 13' alley a total distance of 138.46 feet to a point for corner;


THENCE North 44° 42' 00" West, continuing along the southwest line of said 13' alley, passing at a distance of 87.82 feet the southeast line of said Monument Street, continuing a total distance of 112.82 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner in the northwest line of said Monument Street;

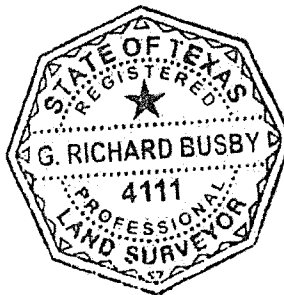
THENCE North 44° 51' 00" East along the northwest line of said Monument Street a distance of 255.90 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner;

THENCE South 44° 55' 25" East a distance of 47.20 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner at the terminus of the northwesterly line of said Indiana Street;

THENCE North 76° 04' 00" East along the northwest line of said Indiana Street a distance of 513.06 feet to the **POINT OF BEGINNING**, containing 157,932 square feet or 3.626 acres, more or less.

Basis of Bearings: The north line (N76°04'00"E) of a tract of land conveyed to HRT Properties of Texas, Ltd. by Special Warranty Deed recorded in Volume 2004151, Page 5165, Deed Records, Dallas County, Texas.


G. Richard Busby R.P.L.S. No. 4111
Date: 12/17/2014

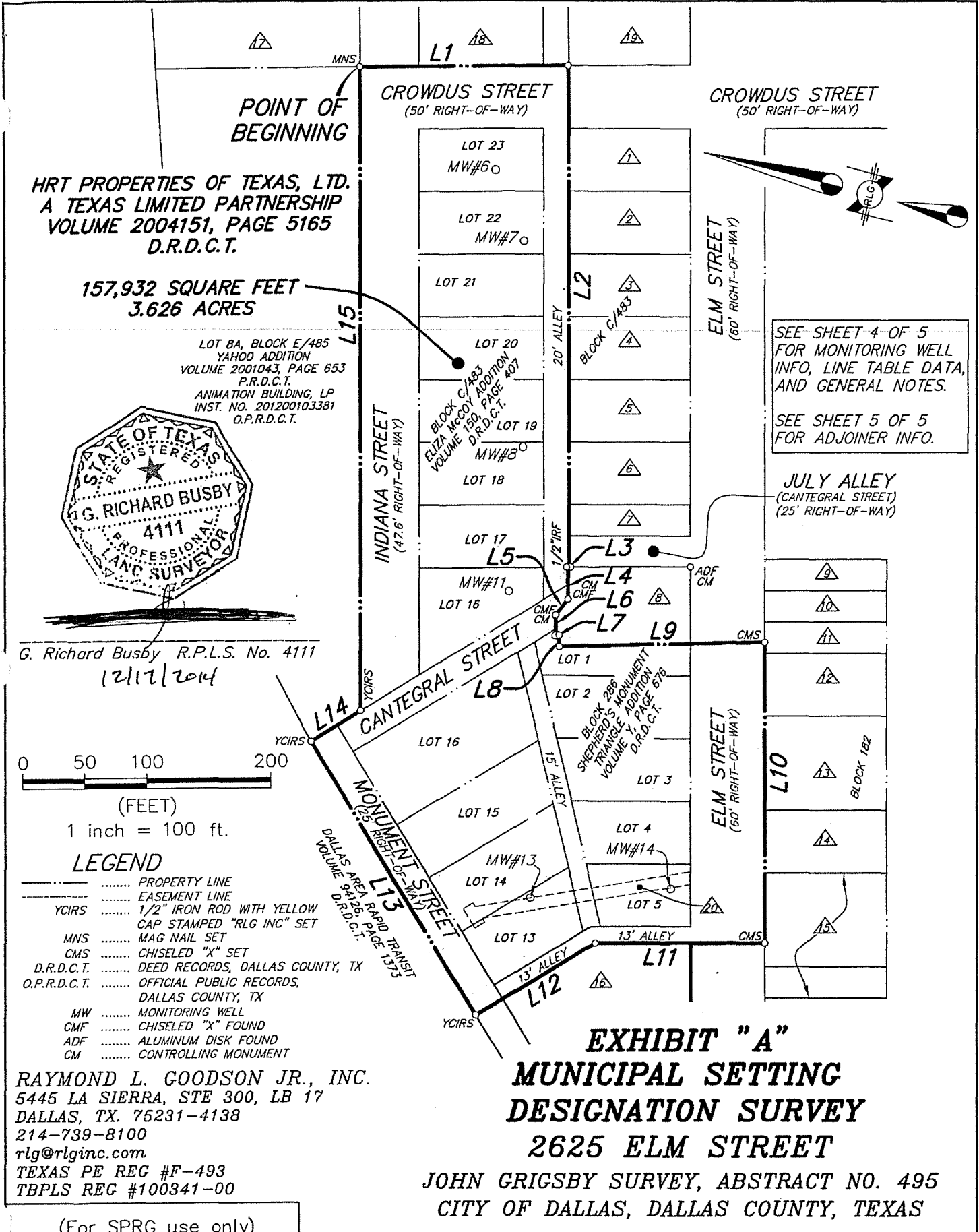


(For SPRG use only)

Reviewed By: _____

Date: _____

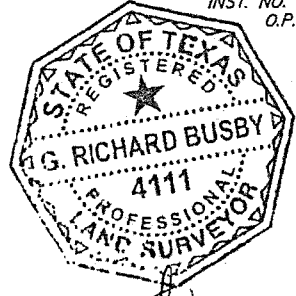
SPRG NO.: _____



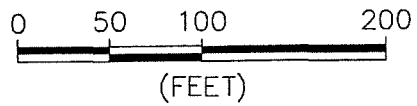
HRT PROPERTIES OF TEXAS, LTD.
 A TEXAS LIMITED PARTNERSHIP
 VOLUME 2004151, PAGE 5165
 D.R.D.C.T.

157,932 SQUARE FEET
 3.626 ACRES

LOT 8A, BLOCK E/485
 YAHOO ADDITION
 VOLUME 2001043, PAGE 653
 P.R.D.C.T.
 ANIMATION BUILDING, LP
 INST. NO. 201200103381
 O.P.R.D.C.T.



G. Richard Busby R.P.L.S. No. 4111
 12/17/2014



1 inch = 100 ft.

LEGEND

- PROPERTY LINE
- EASEMENT LINE
- YCIRS 1/2" IRON ROD WITH YELLOW CAP STAMPED "RLG INC" SET
- MNS MAG NAIL SET
- CMS CHISELED "X" SET
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TX
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TX
- MW MONITORING WELL
- CMF CHISELED "X" FOUND
- ADF ALUMINUM DISK FOUND
- CM CONTROLLING MONUMENT

RAYMOND L. GOODSON JR., INC.
 5445 LA SIERRA, STE 300, LB 17
 DALLAS, TX. 75231-4138
 214-739-8100
 rlg@rlginc.com
 TEXAS PE REG #F-493
 TBPLS REG #100341-00

SEE SHEET 4 OF 5
 FOR MONITORING WELL
 INFO, LINE TABLE DATA,
 AND GENERAL NOTES.

 SEE SHEET 5 OF 5
 FOR ADJOINER INFO.

EXHIBIT "A"
MUNICIPAL SETTING
DESIGNATION SURVEY
2625 ELM STREET

JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)
 Reviewed By: _____
 Date: _____
 SPRG NO.: _____

SCALE	1" = 200'	DATE	09-13-2012	SHEET	3 OF 5
JOB NO.	14119	E-FILE	14119.dwg	DWG NO.	26,064X

MONITORING WELL DATA

MONITORING WELL #6
GROUND=467.45'
TOP OF PVC PIPE=467.11'

MONITORING WELL #7
GROUND=468.06'
TOP OF PVC PIPE=467.70'

MONITORING WELL #8
GROUND=468.78'
TOP OF PVC PIPE=468.34'

MONITORING WELL #11
GROUND=468.56'
TOP OF PVC PIPE=468.20'

MONITORING WELL #13
GROUND=469.24'
TOP OF PVC PIPE=468.72'

MONITORING WELL #14
GROUND=467.39'
TOP OF PVC PIPE=467.01'

GENERAL NOTES:

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS AND/OR OTHER ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY.

OWNERSHIP FOR THE SUBJECT AND ADJOINING PARCELS WERE OBTAINED FROM THE DALLAS COUNTY APPRAISAL DISTRICT'S WEBSITE. (WWW.DALLASCAD.ORG)

BASIS OF BEARINGS: THE NORTH LINE (N76°04'00"E) OF A TRACT OF LAND CONVEYED TO HRT PROPERTIES OF TEXAS, LTD. BY SPECIAL WARRANTY DEED RECORDED IN VOLUME 2004151, PAGE 5165, DEED RECORDS, DALLAS COUNTY, TEXAS.

BENCHMARKS:

CITY OF DALLAS WATER DEPARTMENT BENCHMARK. SQUARE CUT IN CONCRETE CURB IN CENTER OF RADIUS AT THE SOUTHEAST INTERSECTION OF ELM STREET AND CROWDUS STREET.
ELEV=464.37'

SQUARE CUT ON TOP OF CURB ON THE NORTH SIDE OF ELM STREET, 100'± WEST OF CENTERLINE OF JULY ALLEY.
ELEV=466.32'

CONTROLLING MONUMENTS: AS SHOWN

LINE TABLE		
LINE	BEARING	LENGTH
L1	S14°16'30"E	167.60'
L2	S76°04'00"W	399.69'
L3	N13°56'00"W	0.72'
L4	S75°53'00"W	25.51'
L5	N65°31'00"W	16.10'
L6	S75°53'00"W	16.20'
L7	S18°49'00"E	2.00'
L8	S71°11'00"W	9.05'

LINE TABLE		
LINE	BEARING	LENGTH
L9	S15°11'00"E	167.84'
L10	S76°04'00"W	240.30'
L11	N13°56'00"W	138.46'
L12	N44°42'00"W	112.82'
L13	N44°51'00"E	255.90'
L14	S44°55'25"E	47.20'
L15	N76°04'00"E	513.06'

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2625 ELM STREET

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SCALE	1" = 200'	DATE	09-13-2012	SHEET	4 OF 5
JOB NO.	14119	E-FILE	14119.dwg	DWG NO.	26,064X

ADJOINER INFORMATION

- ① LOT 39, BLOCK C/483
ELIZA McCOY ADDITION
VOLUME 150, PAGE 407, D.R.D.C.T.
CHARLES L. BIRD AND MARIE L. BIRD
VOLUME 87163, PAGE 4532, D.R.D.C.T.
- ② ALL OF LOT 39 AND
PART OF LOT 40, BLOCK C/483
ELIZA McCOY ADDITION
VOLUME 150, PAGE 407 D.R.D.C.T.
WESTDALE PROPERTIES AMERICA, LTD
INST.NO. 201100043907 O.P.R.D.C.T.
- ③ PART OF LOT 40, BLOCK C/483
ELIZA McCOY ADDITION
VOLUME 150, PAGE 407 D.R.D.C.T.
ELM STREET REALTY, LTD.
INST.NO. 20080122937 O.P.R.D.C.T.
- ④ LOT 41, BLOCK C/483
ELIZA McCOY ADDITION
VOLUME 150, PAGE 407 D.R.D.C.T.
ELM STREET REALTY, LTD.
NO. 20080122937 O.P.R.D.C.T.
- ⑤ LOT 42, BLOCK C/483
ELIZA McCOY ADDITION
VOLUME 150, PAGE 407 D.R.D.C.T.
MORTON RACHOFSKY AND CARL A. SKIBELL
VOLUME 89228, PAGE 4320 D.R.D.C.T.
- ⑥ LOT 43, BLOCK C/483
ELIZA McCOY ADDITION
VOLUME 150, PAGE 407 D.R.D.C.T.
MORTON RACHOFSKY AND CARL A. SKIBELL
VOLUME 89228, PAGE 4320 D.R.D.C.T.
- ⑦ LOT 44, BLOCK C/483
ELIZA McCOY ADDITION
VOLUME 150, PAGE 407 D.R.D.C.T.
MORTON RACHOFSKY AND CARL A. SKIBELL
VOLUME 89228, PAGE 4320 D.R.D.C.T.
- ⑧ LOT 1A, CITY BLOCK 286
NORTHROP-BOYETT ADDITION
VOLUME 90157, PAGE 2146 D.R.D.C.T.
ELM STREET LOFTS, LTD.
VOLUME 99213, PAGE 4759 D.R.D.C.T.
- ⑨ PAUL DARREN CAMERON
INST.NO. 200900343078 O.P.R.D.C.T.
- ⑩ LALCO, INC
VOLUME 92137, PAGE 2722 D.R.D.C.T.
- ⑪ AMERITRUST TEXAS N.A., AS AGENT
FOR CAROLYN FRANCES STEINBERG
VOLUME 93052, PAGE 1577 D.R.D.C.T.

- ⑫ MGP HOLDINGS, LLC
INST.NO. 201000166777 O.P.R.D.C.T.
- ⑬ JERRY SCHWARTZ AND STEVEN SCHWARTZ,
CO-TRUSTEES OF THE ROSE BARSHOP
RESIDUARY TRUST
VOLUME 88150, PAGE 4393 D.R.D.C.T.
- ⑭ ELM STREET LOFTS, LTD.
VOLUME 99241, PAGE 77 D.R.D.C.T.
- ⑮ BLOCK 182
WESTDALE PROPERTIES AMERICA I, LTD.
INST.NO. 200900267911 O.P.R.D.C.T.
- ⑯ LOT 6 AND LOT 12, BLOCK 286
THE CITIZENS NATIONAL BANK OF HOPE,
TRUSTEE UNDER THE LAST WILL AND TESTAMENT
OF MARY PILLOW JOHNSON, DECEASED
VOLUME 91248, PAGE 3258 D.R.D.C.T.
- ⑰ LOT 2A, BLOCK F/486
YAHOO ADDITION
VOLUME 2001043, PAGE 653 D.R.D.C.T.
ANIMATION BUILDING, LP
INST.NO. 201200103381 O.P.R.D.C.T.
- ⑱ LOT 24, BLOCK D/484
ELIZA McCOY ADDITION
VOLUME 150, PAGE 407 D.R.D.C.T.
SCOTT E. MAGERS AND DOUGLAS E. ALDRIDGE
VOLUME 2000013, PAGE 5271 D.R.D.C.T.
- ⑲ BLOCK D/484
SCOTT E. MAGERS AND DOUGLAS E. ALDRIDGE
VOLUME 2000013, PAGE 5271 D.R.D.C.T.
- ⑳ T.U. ELECTRIC EASEMENT
VOLUME 89182, PAGE 2375 D.R.D.C.T.

LEGEND

D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TX
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS,
DALLAS COUNTY, TX

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Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Ann Stevenson, as an authorized representative of
Uplift Education, 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.

Ann Stevenson
Signature

Date: 8/12/15

Ann Stevenson
Printed Name

Chief Administrative Officer
Title

STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 12th day of
August 2015, to which witness my hand and seal of office.

Cynthia Dominguez
Notary Public in and for the State of Texas

