

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 2, 2015

Mr. Todd McCulloch
WDF-3 Wood Farmers Market
5440 Harvest Hill Road, Suite 206
Dallas, Texas 75230

Re: Municipal Setting Designation (MSD) Certificate for site located at 1128 South Central Expressway, Dallas, Dallas County, TX; MSD No. 301; Customer No. CN604559526; Regulated Entity No. RN101570422

Dear Mr. McCulloch:

The Texas Commission on Environmental Quality (TCEQ) received the above-referenced Municipal Setting Designation (MSD) application on September 4, 2015 and additional information supporting this MSD application on October 8 and November 12, 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) 239-2960 or via e-mail (richard.peltier@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Peltier".

Richard Peltier, P.G., Project Manager
VCP-CA Section
Remediation Division

RP/jdm

cc: Mr. Kenneth Tramm, Modern Geosciences, 5100 Thompson Terrace, Colleyville, TX 76034

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. 301, 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 30th day of November, 2015

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

LEGAL DESCRIPTION

BEING 9.92 acres of land located in the JOHN GRIGSBY SURVEY, Abstract No. 495, City of Dallas, Dallas County, Texas, and being portions of Block 3, 4 and 13, and all of Block 14, of the 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, and portions of the right-of-way areas of South Cesar Chavez Boulevard (Central Expressway - Preston Road), Taylor Street, Pearl Expressway and Farmers Market Way and containing all of the tract of land conveyed to the City of Dallas, by the deed recorded in Volume 2340, Page 351, of the Deed Records of Dallas County, Texas, and all of the tract of land conveyed to WDF-3 Wood Farmers Market Owner, LLC, by the deed recorded in County Clerk's File No. 201400090565, of the Official Public Records of Dallas County, Texas. Said 9.92 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the East corner of Lot 1, Block 26, of the aforesaid Revised Map of Railroad Addition and said POINT OF BEGINNING also being the intersection of the Southwest right-of-way line of Pearl Expressway and the Northwest right-of-way line of Taylor Street;

THENCE N 54° 00' 00" E 430.00 feet, crossing said Pearl Expressway and running along the Northwest right-of-way line of said Taylor Street, being the Southeast boundary line of Block 15 of the aforesaid Revised Map of Railroad Addition, to a point at the intersection of the Southwest right-of-way line of aforesaid South Cesar Chavez Boulevard;

THENCE N 36° 00' 00" W 13.88 feet, along the Southwest right-of-way line of said South Cesar Chavez Boulevard, to a point;

THENCE N 54° 00' 00" E 117.87 feet, crossing said South Cesar Chavez Boulevard to a point in the Northeast right-of-way line of said South Cesar Chavez Boulevard and the Southwest boundary line of Block A/152, Farmers Market Town Home No. 2 Addition, Revised Lots, Addition to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 20070024343, of the Deed Records of Dallas County, Texas;

THENCE S 36° 46' 37" E 155.13 feet, along the Northeast right-of-way line of South Cesar Chavez Boulevard and the Southwest boundary line of said Block A/152, to a point at the South corner of said Block A/152 and the West corner of the aforesaid tract of land conveyed to WDF-3 Wood Farmers Market Owner, LLC, by the deed recorded in County Clerk's File No. 201400090565, of the Official Public Records of Dallas County, Texas;

THENCE N 53° 09' 14" E 507.79 feet, running along the Northwest boundary line of said WDF-3 Wood Farmers Market Owner, LLC, Tract and the Southeast boundary line of said Block A/152, crossing Farmers Market Way to a point in the Northeast right-of-way line of said Farmers Market Way;

THENCE along the Northeast right-of-way line of said Farmers Market Way, as follows:

1. S 36° 50' 46" E 281.52 feet, to a point;

2. SOUTHEASTERLY 149.06 feet, along a curve to the right having a radius of 50.00 feet, a central angle of 170° 48' 02", and a chord bearing S 32° 13' 51" E 99.69 feet, to a point at the end of said curve lying at the most Easterly Northeast corner of the aforesaid tract of land conveyed to WDF-3 Wood Farmers Market Owner, LLC;

THENCE along the Southeast boundary line of said WDF-3 Wood Farmers Market Owner, LLC, Tract, as follows:

1. S 36° 49' 58" E 9.79 feet, along the Northeast boundary line of said WDF-3 Wood Farmers Market Owner, LLC, Tract, to a point at the most Easterly Southeast corner of said WDF-3 Wood Farmers Market Owner, LLC, Tract;
2. S 53° 10' 33" W 294.53 feet, to a point;
3. S 36° 45' 09" E 93.67 feet, to a point at the most Southerly Southeast corner of said WDF-3 Wood Farmers Market Owner, LLC, Tract;
4. S 52° 02' 59" W 335.73 feet, passing the South corner of said WDF-3 Wood Farmers Market Owner, LLC, Tract and crossing the right-of-way areas of the aforesaid South Cesar Chavez Boulevard, to a point in the Southwest right-of-way line of said South Cesar Chavez Boulevard and the Northeast boundary line of the 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 Southwest right-of-way line of said South Cesar Chavez Boulevard and the Northeast boundary line of said FM Futsal, LTD Tract as follows:

1. N 32° 25' 25" W 53.92 feet, to a point;
2. N 36° 00' 00" W 110.00 feet, to a point;
3. S 54° 00' 00" W 25.00 feet, to a point;
4. N 36° 00' 00" W 39.40 feet, to a point;
5. S 78° 52' 08" W 55.11 feet, to a point;

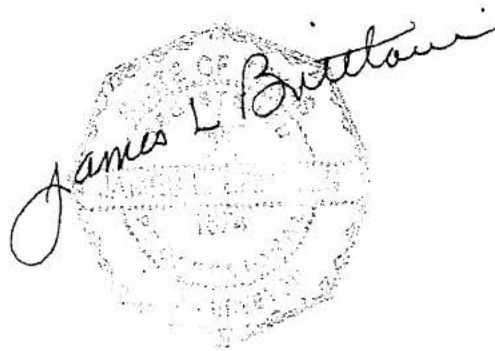
THENCE N 36° 00' 00" W 127.42 feet, along the Southwest right-of-way line of South Cesar Chavez Boulevard and also along the Northeast boundary line of the tract of land conveyed to the City of Dallas, by the deed recorded in County Clerk's File No. 201300356402, of the Official Public Records of Dallas County, Texas, to a point at the North corner of said City of Dallas Tract;

T HENCE S 54° 00' 00" W 355.00 feet, along the Northwest boundary line of said City of Dallas Tract and the former Northwest right-of-way line of St. Louis Street and the Southeast boundary line of the aforesaid Block 14, of the Revised Map of Railroad Addition and the Southeast boundary line of the aforesaid tract of land conveyed to the City of Dallas,

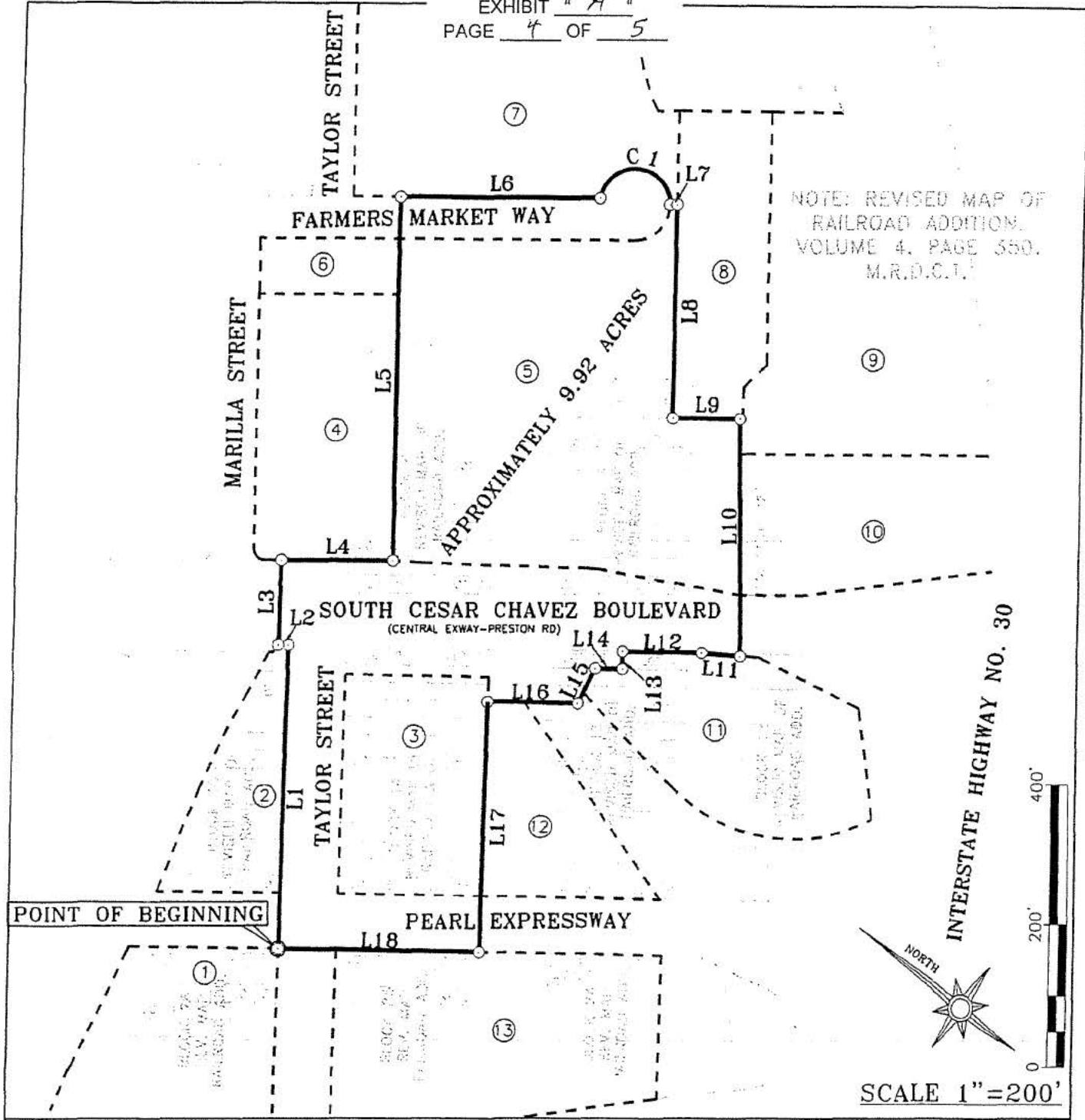
by the deed recorded in Volume 2340, Page 351, of the Deed Records of Dallas County, Texas, crossing the aforesaid Pearl Expressway to a point in the Southwest right-of-way line of said Pearl Expressway located at the East corner of Block 25, of the aforesaid Revised Map of Railroad Addition;

THENCE N 36° 00' 00" W 280.00 feet, along the Southwest right-of-way line of said Pearl Expressway and the Northeast boundary line of said Block 25, Revised Map of Railroad Addition, to the POINT OF BEGINNING, containing 9.92 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.



James L. Britton



DALLAS COUNTY, TEXAS
DALLAS FARMERS MARKET DISTRICT

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



PREPARED OCTOBER 6, 2014

①
DF MARKET 2, LLC
DOC.# 201300190271
O.P.R.D.C.T.

②
TAYLOR STREET 2111, LP
DOC.# 201200383129
O.P.R.D.C.T.

③
CITY OF DALLAS
VOLUME 2340, PAGE 351
D.R.D.C.T.

④
FARMERS MARKET
TOWNHOME No. 2
ADDITION REVISED LOTS
9-44, BLOCK A/152
DOC.# 20070024343.
D.R.D.C.T.

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

⑥
FARMERS MARKET
TOWNHOME No. 1
ADDITION
DOC.#200600264220,
D.R.D.C.T.

⑦
FARMERS MARKET
APARTMENT PHASE II
DOC.# 2003-286-00241,
D.R.D.C.T.

⑧
SAGENITE DALLAS
COMPANY
VOLUME 89019, PAGE
2613, O.P.R.D.C.T. TRACT
2, PARCEL 1

⑨
SAGENITE DALLAS
COMPANY
VOLUME 89019, PAGE
2613, O.P.R.D.C.T. TRACT
1, PARCEL 2

⑩
SAGENITE DALLAS
COMPANY
VOLUME 89019, PAGE
2613, O.P.R.D.C.T. TRACT
2, PARCEL 2

⑪
FM FUTSAL, LTD.
DOC.#201300190269
O.P.R.D.C.T.

⑫
CITY OF DALLAS
DOC.# 201300356402
O.P.R.D.C.T.

⑬
FM HARVEST, LTD.
DOC.# 201300190268
O.P.R.D.C.T.

Course	Bearing	Distance
L1	N 54°00'00" E	430.00'
L2	N 36°00'00" W	13.88'
L3	N 54°00'00" E	117.87'
L4	S 36°46'37" E	155.13'
L5	N 53°09'14" E	507.79'
L6	S 36°50'46" E	281.52'
L7	S 36°49'58" E	9.79'
L8	S 53°10'33" W	294.53'
L9	S 36°45'09" E	93.67'
L10	S 52°02'59" W	335.73'
L11	N 32°25'25" W	53.92'
L12	N 36°00'00" W	110.00'
L13	S 54°00'00" W	25.00'
L14	N 36°00'00" W	39.40'
L15	S 78°52'08" W	55.11'
L16	N 36°00'00" W	127.42'
L17	S 54°00'00" W	355.00'
L18	N 36°00'00" W	280.00'

Curve	Radius	Length	Delta	Chord	Chord Bear.
C1	50.00'	149.06'	170°48'02"	99.69'	S 32°13'51" E

DALLAS COUNTY, TEXAS
DALLAS FARMERS MARKET DISTRICT

PAGE 5 OF 5

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PREPARED OCTOBER 6, 2014

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



Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Todd McCulloch, as an authorized representative of WDF-3 Wood Farmers Market 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.

Todd McCulloch
Signature

Date: 8/27/15

Todd McCulloch
Printed Name

Vice President
Title

STATE OF Texas

COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 27 day of August 2015 to which witness my hand and seal of office.

Kristi Trimble
Notary Public in and for the State of Texas

