Bryan W. Shaw, Ph.D., Chairman
Buddy Garcia, Commissioner
Carlos Rubinstein, Commissioner
Mark R. Vickery, P.G., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 9, 2012

Mr. Clarence Reed, Environmental Program Manager City of Fort Worth 1000 Throckmorton Fort Worth, Texas 76102

RE: Municipal Setting Designation (MSD) Certificate for Vickery Corridor, Multiple Properties along W. Vickery Boulevard, Fort Worth, TX; MSD No. 186

Dear Mr. Reed:

Enclosed is the Municipal Setting Designation Certification for your site. You can use this certification as the basis to avail of the groundwater assessment and remediation flexibility offered in accordance with Texas Health and Safety Code §361.808, consistent with the site-specific circumstances.

If I can be of any further assistance, please do not hesitate to contact me at (512) 239-2960 or via e-mail (richard.goldsmith@TCEQ.Texas.gov).

Sincerely,

R. Stuart Goldsmith, Project Manager

VCP-CA Section

Remediation Division

RSG/jdm

Enclosure: MSD Certificate No. 186

cc: Ms. Desiree Owens, VCP 2305 Project Manager, Remediation Division,

MC-221

Ms. Vicki Modak, RPR Coordinator (LPST 117645), Remediation Division

MC-137

Mr. Sam Barrett, 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, Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation (MSD) for MSD No. 186, in the City of Fort Worth, 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 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 the 6th day of March, 20 12

Mark R. Vickery, P.G

Executive Director

Texas Commission on Environmental Quality

MSD BOUNDARY

W. B. CONNER SURVEY, ABSTRACT NO. 288

W. D. CONNER SURVEY, ABSTRACT NO. 301

G. G. DAVENPORT SURVEY, ABSTRACT NO. 401

S. C. INMAN SURVEY, ABSTRACT NO. 824

T. WHITE SURVEY, ABSTRACT NO. 1636

CITY OF FORT WORTH

TARRANT COUNTY, TEXAS

EXHIBIT "A"

Being a 48.975 acre tract of land situated in the W. B. Conner Survey, Abstract No. 288, the W. D. Conner Survey, Abstract No. 301, the G. G. Davenport Survey, Abstract No. 401, the S. C. Inman Survey, Abstract No. 824 and the T. White Survey, Abstract No. 1636, City of Fort Worth, Tarrant County, Texas, said 48.975 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1 inch iron pipe found for the northeast corner of Lot B, Block 1 of the Howco Addition, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 388-110, Page 96 of the Plat Records of Tarrant County, Texas, said 1 inch iron rod being in the south right-of-way line of West Vickery Boulevard;

- THENCE South 00 degrees 14 minutes 15 seconds West, with the east line of said Lot B, a distance of 152.03 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 67 degrees 33 minutes 17 seconds West, a distance of 86.46 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner in the south line of said Lot B;
- THENCE South 67 degrees 36 minutes 20 seconds West, a distance of 305.89 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner in the south line of Lot A, Block 1 of said Howco Addition;
- THENCE South 74 degrees 05 minutes 32 seconds West, a distance of 305.72 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for comer;
- THENCE North 26 degrees 34 minutes 46 seconds West, a distance of 27.64 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the southwest corner of said Lot A:
- THENCE North 00 degrees 26 minutes 15 seconds East, with the west line of said Lot A, a distance of 34.20 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;

- THENCE South 77 degrees 47 minutes 50 seconds West, a distance of 50.01 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 83 degrees 21 minutes 23 seconds West, a distance of 57.77 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner:
- THENCE South 69 degrees 30 minutes 19 seconds West, a distance of 145.85 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 64 degrees 39 minutes 42 seconds West, a distance of 97.52 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 68 degrees 56 minutes 13 seconds West, a distance of 479.61 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner in the east line of Lot 1, Block 1 of the W. M. Cameron & Co. Inc. Plant Site No. 2, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 388-101, Page 40 of said Plat Records of Tarrant County, Texas, said 5/8 inch iron rod with cap stamped "GORRONDONA" being the beginning of a non-tangent curve to the right having a radius of 449.90 feet, a central angle of 04 degrees 50 minutes 30 seconds and whose chord bears South 12 degrees 51 minutes 53 seconds West, a chord distance of 38.01 feet;
- THENCE with said non-tangent curve to the right and with the east line of said Lot 1, an arc length of 38.02 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the southwest corner of said Lot 1;
- THENCE South 75 degrees 44 minutes 15 seconds West, with the south line of said Lot 1, a distance of 339.14 feet to a concrete monument found for the southwest corner of said Lot 1;
- THENCE South 55 degrees 13 minutes 14 seconds West, a distance of 863.44 feet to a 1/2 inch iron rod with cap stamped 'Brittain & Crawford" found for the southeast corner of Lot 2-R, Block 2-R of Factory Place Addition, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 388-47, Page 460 of said Plat Records of Tarrant County, Texas;
- THENCE South 35 degrees 33 minutes 17 seconds West, with the south line of said Lot 2-R, a distance of 149.58 feet to a point for the most easterly southwest corner of Lot 1, Block 2-R of Factory Place Addition, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 388-42, Page 42 of said Plat Records of Tarrant County, Texas;

- THENCE South 58 degrees 46 minutes 17 seconds West, with the south line of said Lot 1, a distance of 380.75 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the southwest corner of Lot 1-R, Block 2-R of Factory Place Addition, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 388-167, Page 59 of said Plat Records of Tarrant County, Texas;
- THENCE North 34 degrees 37 minutes 43 seconds West, with the west line of said Lot 1-R, a distance of 88.40 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the beginning of a non-tangent curve to the right having a radius of 9086.00 feet, a central angle of 00 degrees 59 minutes 44 seconds and whose chord bears South 57 degrees 33 minutes 21 seconds West, a chord distance of 157.89 feet:
- THENCE with said non-tangent curve to the right, an arc length of 157.89 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 58 degrees 03 minutes 14 seconds West, a distance of 850.41 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the beginning of a curve to the left having a radius of 7457.84 feet, a central angle of 05 degrees 02 minutes 48 seconds and whose chord bears South 55 degrees 31 minutes 49 seconds West, a chord distance of 656.70 feet;
- THENCE with said curve to the left, an arc length of 656.91 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 60 degrees 52 minutes 20 seconds West, a distance of 8.18 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 58 degrees 59 minutes 02 seconds West, a distance of 50.00 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 58 degrees 37 minutes 54 seconds West, a distance of 150.00 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 54 degrees 21 minutes 35 seconds West, a distance of 49.38 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 50 degrees 26 minutes 28 seconds West, a distance of 185.09 feet to a 5/8 inchiron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 49 degrees 24 minutes 45 seconds West, a distance of 147.98 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 48 degrees 40 minutes 20 seconds West, a distance of 150.92 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;

- THENCE South 47 degrees 48 minutes 28 seconds West, a distance of 670.52 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the beginning of a curve to the left having a radius of 1349.39 feet, a central angle of 09 degrees 36 minutes 06 seconds and whose chord bears South 43 degrees 00 minutes 25 seconds West, a chord distance of 225.87 feet;
- THENCE with said curve to the left, an arc length of 226.13 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 34 degrees 32 minutes 54 seconds West, a distance of 9.82 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the beginning of a non-tangent curve to the right having a radius of 1884.86 feet, a central angle of 01 degrees 01 minutes 32 seconds and whose chord bears South 53 degrees 54 minutes 56 seconds West, a chord distance of 33.73;
- THENCE with said non-tangent curve to the right, an arc length of 33.73 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE North 54 degrees 49 minutes 20 seconds West, a distance of 148.46 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner in the south right-of-way line of said West Vickery Boulevard;
- THENCE North 32 degrees 24 minutes 30 seconds East, with the south right-of-way line of said West Vickery Boulevard, a distance of 399.93 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the beginning of a curve to the right having a radius of 1002.74 feet, a central angle of 22 degrees 52 minutes 16 seconds and whose chord bears North 39 degrees 18 minutes 47 seconds East, a chord distance of 397.62 feet:
- THENCE with said curve to the right, and with the south right-of-way line of said West Vickery Boulevard, an arc length of 400.27 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner in north line of Block 1 of Factory Place Addition, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 204A, Page 101 of said Plat Records of Tarrant County, Texas;
- THENCE North 51 degrees 29 minutes 19 seconds East, with the north line of said Block 1 and with the south right-of-way line of said West Vickery Boulevard, a distance of 1910.01 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the northeast corner of Block 3 of Factory Place Addition, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 388-80, Page 32 of said Plat Records of Tarrant County, Texas, said 5/8 inch iron rod with cap stamped "GORRONDONA" being the intersection of the south right-of-way line of said West Vickery Boulevard with the west right-of-way line of Hooper Street;

- THENCE North 52 degrees 27 minutes 40 seconds East, a distance of 39.78 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the northwest corner of Block 4 of Factory Place Addition, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 204A, Page 101 of said Plat Records of Tarrant County, Texas, said 5/8 inch iron rod with cap stamped "GORRONDONA" being the intersection of the south right-of-way line of said West Vickery Boulevard with the east right-of-way line of said Hooper Street;
- THENCE North 51 degrees 25 minutes 48 seconds East, with the north line of said Block 4 and with the south right-of-way line of said West Vickery Boulevard, a distance of 846.55 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the beginning of a curve to the right having a radius of 2011.31 feet, a central angle of 01 degrees 31 minutes 23 seconds and whose chord bears North 50 degrees 02 minutes 12 seconds East, a chord distance of 53.47 feet;
- THENCE with said curve to the right, with the north line of said Block 4 and with the south right-of-way line of said West Vickery Boulevard, an arc length of 53.47 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE North 51 degrees 25 minutes 48 seconds East, with the north line of said Block 4 and with the south right-of-way line of said West Vickery Boulevard, a distance of 100.00 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the northeast corner of said Block 4, said 5/8 inch iron rod with cap stamped "GORRONDONA" being the intersection of the south right-of-way line of said West Vickery Boulevard with the west right-of-way line of Concrete Street;
- THENCE South 38 degrees 34 minutes 12 seconds East, with the east line of said Block 4 and with the west right-of-way line of said Concrete Street, a distance of 252.44 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE North 56 degrees 49 minutes 32 seconds East, a distance of 90.31 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE North 61 degrees 04 minutes 38 seconds East, a distance of 732.45 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE North 57 degrees 27 minutes 11 seconds East, a distance of 295.84 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner in the west line of Lot 1, Block 1 of said W. M. Cameron & Co., Inc. Plant Site No. 2;
- THENCE North 00 degrees 48 minutes 45 seconds West, with the west line of said Lot 1, a distance of 316.93 feet to a 5/8 inch iron rod found for the northwest corner of said Lot 1, said 5/8 inch iron rod being in the south right-of-way line of Rutledge Street;

- THENCE North 88 degrees 20 minutes 15 seconds East, with the north line of said Lot 1 and with the south right-of-way line of said Rutledge Street, a distance of 411.10 feet to a 3/4 inch iron rod found for the northeast corner of said Lot 1;
- THENCE North 89 degrees 39 minutes 30 seconds East, with the south right-of-way line of said Rutledge Street, a distance of 212.27 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE North 66 degrees 17 minutes 00 seconds East, a distance of 151.57 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner in the south line of Lot 1 of the G. W. Jackson Heirs Subdivision, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 388, Page 36 of said Plat Records of Tarrant County, Texas, said 5/8 inch iron rod with cap stamped "GORRONDONA" being in the north right-of-way line of said Rutledge Street;
- THENCE North 29 degrees 13 minutes 34 seconds East, a distance of 17.59 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the beginning of a non-tangent curve to the right having a radius of 862.51 feet, a central angle of 09 degrees 04 minutes 43 seconds and whose chord bears North 07 degrees 20 minutes 56 seconds West, a chord distance of 136.52 feet;
- THENCE with said non-tangent curve to the right, an arc length of 136.67 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner in the north line of said Lot 1 and in the south right-of-way line of said West Vickery Boulevard;
- THENCE South 89 degrees 30 minutes 03 seconds East, with the north line of said Lot 1 and with the south right-of-way line of said West Vickery Boulevard, a distance of 72.02 feet to a point for the northeast corner of said Lot 1;
- THENCE South 00 degrees 33 minutes 42 seconds East, with the west line of said Lot 1 and with the south right-of-way line of said West Vickery Boulevard, a distance of 5.50 feet to a point for the northwest corner of Lot 7, Block 2 of Brooklyn Heights, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 944, Page 445 of said Plat Records of Tarrant County, Texas;
- THENCE North 89 degrees 26 minutes 18 seconds East, with the north line of said Lot 7 and with the south right-of-way line of said West Vickery Boulevard, a distance of 16.40 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for the beginning of a non-tangent curve to the left having a radius of 774.51 feet, a central angle of 07 degrees 04 minutes 20 seconds and whose chord bears South 07 degrees 06 minutes 26 seconds East, a chord distance of 95.54 feet;

- THENCE with said non-tangent curve to the left, an arc length of 95.60 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE South 59 degrees 00 minutes 48 seconds East, a distance of 25.61 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner;
- THENCE North 73 degrees 58 minutes 52 seconds East, a distance of 342.97 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" found for corner in the west line of Lot A, Block 1 of said Howco Addition, said 5/8 inch iron rod with cap stamped "GORRONDONA" being in the east right-of-way line of Kimzey Street;
- THENCE North 00 degrees 14 minutes 15 seconds East, with the west line of said Lot A and with the east right-of-way line of said Kimzey Street, a distance of 14.48 feet to an "X" cut in concrete found for the northwest corner of said Lot A, said "X" cut in concrete being the intersection of the south right-of-way line of said West Vickery Boulevard with the east right-of-way line of said Kimzey Street;
- THENCE South 89 degrees 45 minutes 45 seconds East, with the north line of said Lot A and with the south right-of-way line of said West Vickery Boulevard, a distance of 647.69 feet to the **POINT OF BEGINNING**, and containing 2,133,350 square feet or 48.975 acres of land, more or less.

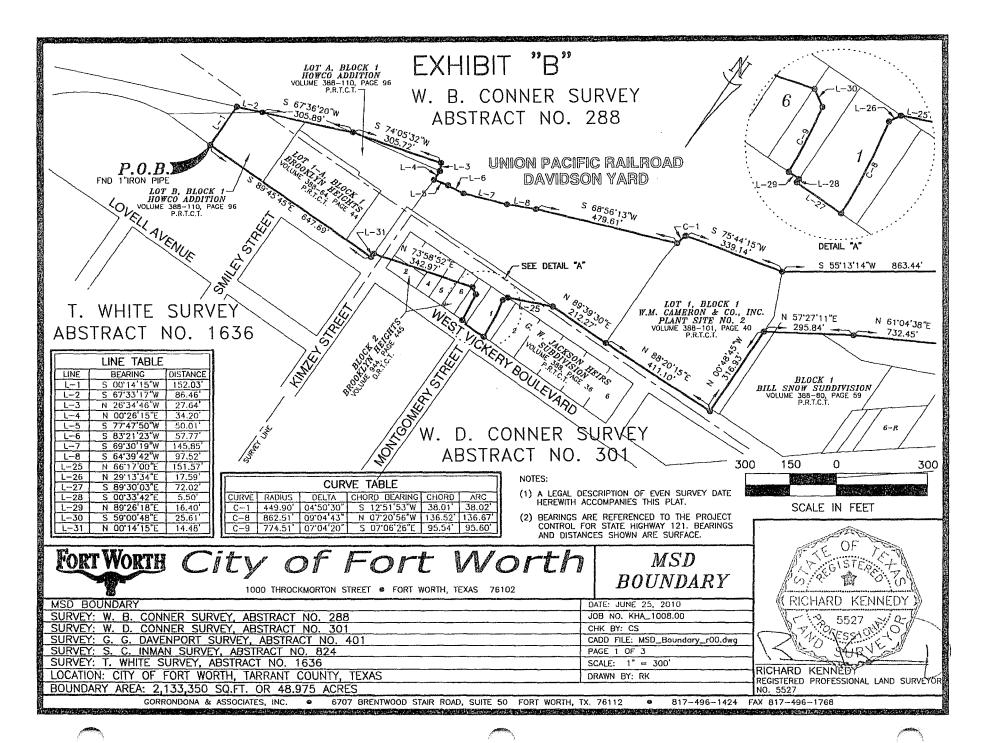
Notes:

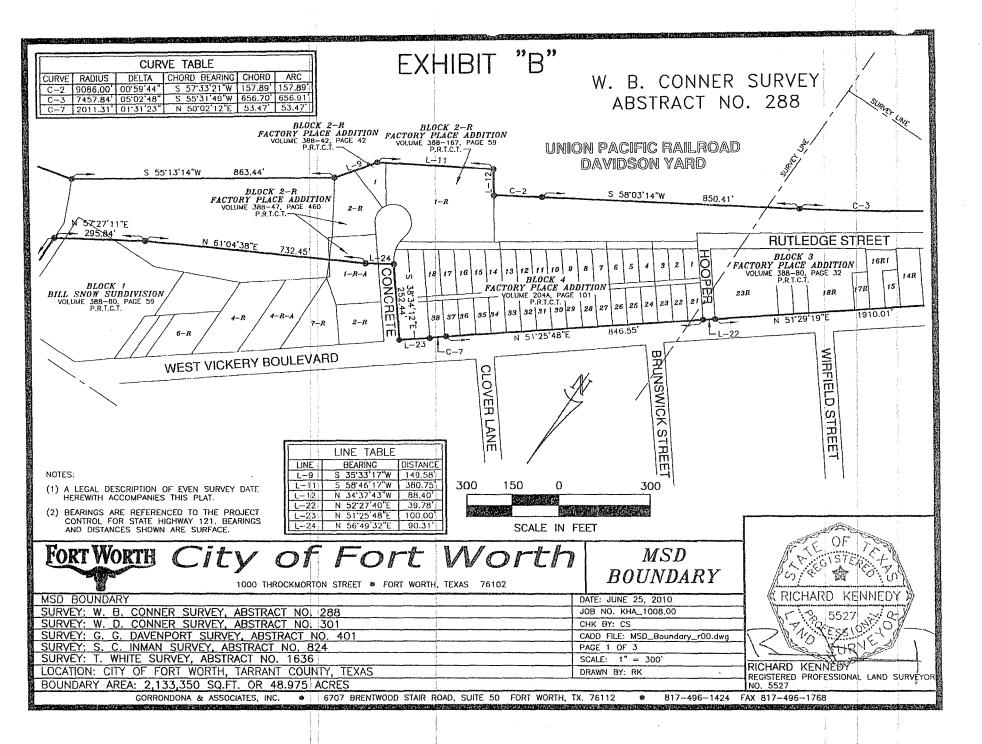
- (1) A plat of even survey date herewith accompanies this legal description.
- (2) All bearings are referenced to the project control for State Highway 121. All bearings and distances are surface.

Date: June 25, 2010

Richard Kennedy 5527 Registered Professional Land Surv

Texas No. 5527





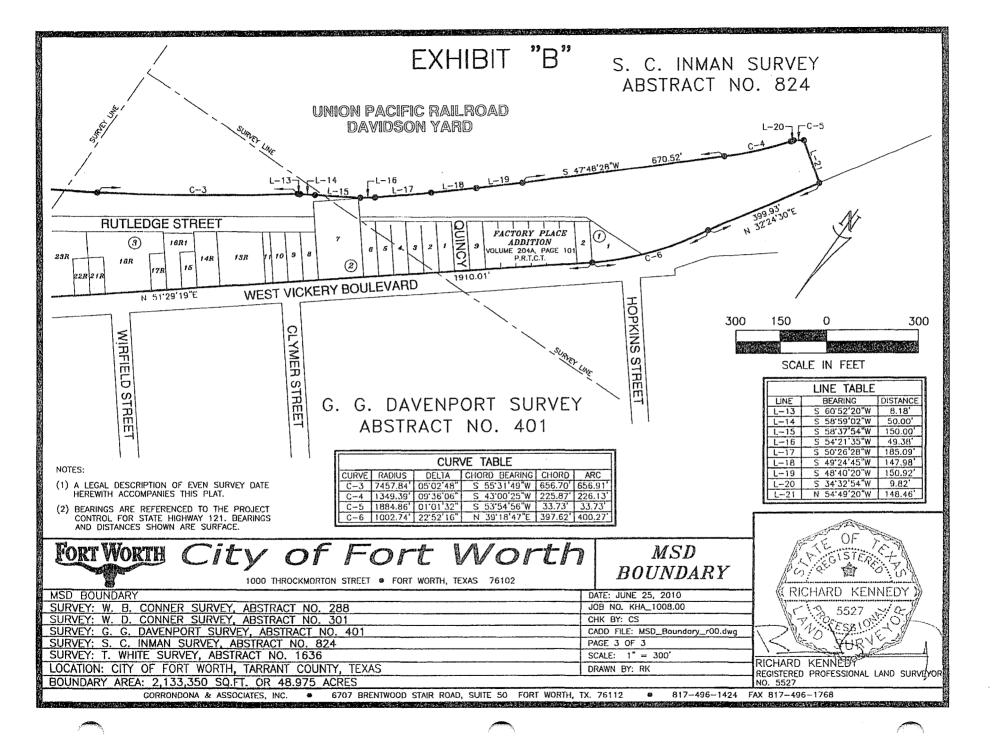


Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

	EFORE ME, the undersigned authority, on this date rence W. Reed	
	e City of Fort Worth	, as an authorized representative of , known to me to be the person
whose	nose name is subscribed below who being by me atted as follows:	
	m over the age of 18 and legally competent to ma owledge of the facts stated herein.	ike this affidavit. I have personal
I affir	ffirmatively state that (place an X in all applicabl	e blanks)
\boxtimes	The MSD eligibility criteria of THSC Section 361.803 are satisfied.	
\boxtimes	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.	
\boxtimes	A true and accurate copy of a legal description of the proposed MSD property is included with the application.	
\boxtimes	Notice has been provided in accordance with THSC 361.805.	
	A copy of an ordinance or restrictive covenal provided in this application or will be provided certifies this application.	
Signa	nature	
Clarer	arence W. Reed	
Printe	inted Name	
Enviro	vironmental Program Manager	
Title	le	
STAT	ATE OF TEXAS	
COUN	OUNTY OF TARRANT	- 11
Nov	SUBSCRIBED AND SWORN before me bvember 20//, to which witness my han	d and seal of office.
	Notary Public in and	for the State of <u>Texas</u>