

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 3, 2016

Mr. Rick Stone, Vice President
NWH Land LP
2100 McKinney Ave, Suite 1760
Dallas, Texas 75201

Re: Municipal Setting Designation (MSD) Certificate for NWH Land LP, Park Place (Former Overseas Motors), 2425 W. Northwest Highway, Dallas, Dallas County, Texas; MSD No. 313; Voluntary Cleanup Program (VCP) No. 2550; Customer No. CN604236125; Regulated Entity No. RN102448248

Dear Mr. Stone:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on December 17, 2015 and additional information supporting this MSD application on July 12, 2016 and September 19, 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) 239-2205 or via e-mail (rodney.bryant@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink that reads "Rodney Bryant".

Rodney Bryant, Project Manager
VCP-CA Section
Remediation Division

RDB/jdm

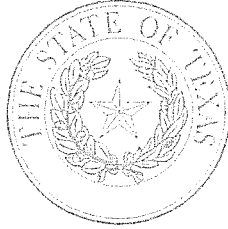
cc: Mr. Frank Clark, W&M Environmental Group, Inc., 906 E. 18th Street, Plano, Texas 75074

Ms. Elizabeth Mack, Locke Lord LLC, 2200 Ross Avenue, Suite 2200, Dallas, Texas 75201

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. 313, 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 2nd day of November, 2016

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

EXHIBIT A
Property Description

Being a 3.984 acre tract of land situated in the Absolom Smith Survey, Abstract No. 1347, City of Dallas, Dallas County, Texas, and being part of Lot 1, Block B/5795 of Hines/Northwest, an addition to the City of Dallas, as recorded in Volume 84238, Page 5351 Map Records, Dallas County, Texas, and also being all of a called 3.984 acre tract of land described in Warranty Deed to OMC Real Estate Partners, Ltd. as recorded in Volume 98007, Page 3760, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch capped iron rod found at the southwest corner of said OMC Real Estate Partners tract and also being the southeast corner of Part of Lot 1 of said Hines/Northwest Addition and also being a tract of land described in deed to City of Dallas as recorded in Volume 91214, Page 3782, Deed Records, Dallas County, Texas and also being in the north line of West Northwest Highway (Variable Width Public Right-of-Way);

THENCE North 14°56'58" East along the common line of said OMC Real Estate Partners tract and said City of Dallas tract, for a distance of 352.93 feet to a 1/2 inch iron rod found for common corner of said OMC Real Estate Partners tract and also being the southwest corner of Lot 1.5 of said Hines/Northwest Addition and also being a tract of land described in deed to Bhagat Holdings, Ltd. as recorded in Volume 2004037, Page 2286, Deed Records, Dallas County, Texas;

THENCE South 75°03'02" East along the common line of said OMC Real Estate Partners tract and said Bhagat Holdings tract, for a distance of 462.31 feet to a "X" cut found at the common corner of said OMC Real Estate Partners tract and the most westerly northwest corner of Lot 1.3 of said Hines/Northwest Addition and also being a tract of land described in deed to El Tacaso Inc as recorded in Instrument No. 200600002950, Deed Records, Dallas County, Texas;

THENCE South 14°51'07" West and passing at a distance of 51.83 feet the most westerly southwest corner of said El Tacaso tract and also the northwest corner of Lot 1.4 of said Hines/Northwest Addition and also being a tract of land described in deed to Jacquelyn Keller as recorded in Volume 92253, Page 2310, Deed Records, Dallas County, Texas, for a total distance of 391.17 feet to a "X" cut found at the common corner of said OMC Real Estate Partners tract and said Jacquelyn Keller tract and also in said north line of West Northwest Highway;

THENCE North 74°19'37" West along said north line of West Northwest Highway and the south line of said OMC Real Estate Partners tract, for a distance of 88.08 feet to a 1/2 Inch Iron rod found for corner;

THENCE North 69°23'43" West continuing along said north line of West Northwest Highway, for a distance of 376.74 feet to the Point of Beginning and containing 173,547 square feet or 3.984 acres of land.

Exhibit B

Municipal Setting Designation

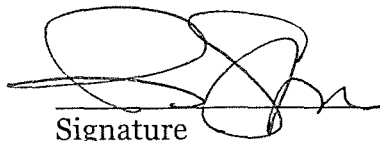
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Rick Stone, as an authorized representative of
NWH Land LP, 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.



Signature

Date: 11.6.15

Rick Stone

Printed Name

Title

Vice President, NWH Land LP

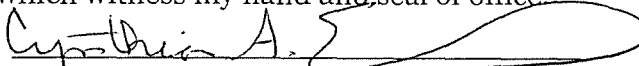
Title

Title

STATE OF Texas

COUNTY OF _____

SUBSCRIBED AND SWORN before me on this the 6th day of
November 2015, to which witness my hand and seal of office.



Notary Public in and for the State of Texas

