

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Stephanie Bergeron Perdue, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 17, 2018

Ms. Antoinette Hardy, Real Property Coordinator
City of Beaumont
P.O. Box 3827
Beaumont, Texas 77704

Re: Municipal Setting Designation (MSD) Certificate for City of Beaumont, 320 College Street, Beaumont, Jefferson County, TX; MSD No. 318; Customer No. CN600130439; Regulated Entity No. RN109123018

Dear Ms. Hardy:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on January 29, 2016 and additional information supporting this MSD application on September 28, 2017, May 3, 2018, and June 26, 2018. 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) 239-2238 or via e-mail (aaron.correll@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Aaron Correll".

Aaron Correll, P.G., Project Manager
VCP-CA Section
Remediation Division

AC/jdm

cc: Mr. Mark S. Katterjohn, P.G., Vice President/Hydrogeologist, RPS Group, Inc.,
4801 Southwest Parkway, Parkway 2, Suite 150, Austin, TX 78735

Ms. Marilyn Gates, Waste Section Manager, TCEQ Region 10 Office, Beaumont

Enclosure: MSD Certificate

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, Maria Lebron, Assistant Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 318, in the City of Beaumont, 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 10 day of July, 2018

A handwritten signature in black ink, appearing to read "Maria Lebron", written over a horizontal line.

Maria Lebron, Assistant Director
Remediation Division
Texas Commission on Environmental Quality

WORTECH*"Recognizing the landmarks of the past... setting our foresight towards the future with Advanced Geospatial Technology"*

LAND SURVEYORS, INC.

Texas Board of Professional Land Surveying
Firm Registration No. 10105600City of Beaumont
2.1444 Acre Tract
October 10, 2014
Page 2**WORTECH**
LAND SURVEYORS, INC.

October 1, 2014

Surveyor's Field Note Description: 2.1444 Acre Tract

BEING a 2.1444 acre tract of land, out of and a part of Lots 172 thru 183 in Block 38, and a portion of Lot 184 in Block 39 of the Original Townsite of Beaumont, more fully described and recorded in Volume 448, Page 249 of the Deed Records of Jefferson County, Texas. Said 2.1444 acre tract being situated in the Noah Tevis Survey, Abstract No. 52 in Jefferson County, Texas and being more particularly described as follows:

COMMENCING at a 1-inch Iron Pipe found for the common North corner of Lot 160 and Lot East corner of Lot 171, Block 37 of said Original Townsite of Beaumont, same being in the Southwest line of Pearl Street (61.11 feet wide public right-of-way);

THENCE North 49 deg. 59 min. 17 sec. West along and with the Northeast line of said Block 37, same being the Southwest line of said Pearl Street and crossing College Street (variable width public right-of-way), a distance of 241.11 feet to a punch mark in brick set at the intersection of the Northwest line of said College Street and Southwest line of said Pearl Street, same being the East corner of said Lot 172, Block 38 and PLACE OF BEGINNING of the herein described tract;

THENCE South 46 deg. 08 min. 10 sec. West along and with the Northwest line of said College Street, same being the Southeast line of said Block 38, a distance of 179.94 feet to a 5/8-inch iron rod with cap stamped "WORTECH SURVEYORS" set for an angle corner;

THENCE South 50 deg. 18 min. 04 sec. West continuing along and with the Northwest line of said College Street, a distance of 120.34 feet to a punch mark in brick set for corner in the Southwest line of said Lot 176, Block 38, same being the Northeast line of Orleans Street (61.11 feet wide public right-of-way);

THENCE North 43 deg. 59 min. 17 sec. West along and with the Northeast line of said Orleans Street, same being the Southwest line of said Block 38, a distance of 171.05 feet to a punch mark in brick set for the West corner of said Lot 182, Block 38, same being an Ell corner of the herein described tract and being a point of transition from said Orleans Street to Wall Street (60-foot wide public right-of-way);

THENCE North 46 deg. 05 min. 11 sec. East along and with the Southeast line of said Wall Street, same being a Northwest line of said Lot 182, a distance of 1.49 feet to a 5/8-inch iron rod with cap stamped "WORTECH SURVEYORS" set for corner at the beginning of a non-tangent curve to the right;

THENCE along and with an East line of said Wall Street and non-tangent curve to the right, having a central angle of 53 deg. 26 min. 40 sec., a radius of 127.74 feet, a chord bearing of North 08 deg. 13 min. 29 sec. West, a chord distance of 114.88 feet and an arc length of 119.15 feet to a punch mark in brick set for corner;

THENCE North 18 deg. 29 min. 50 sec. East continuing along and with an East line of said Wall Street, a distance of 197.36 feet to a point for corner at the beginning of a non-tangent curve to the left;

THENCE continuing along and with an East line of said Wall Street and said non-tangent curve to the left, having a central angle of 18 deg. 43 min. 17 sec., a radius of 216.37 feet, a chord bearing of North 09 deg. 05 min. 43 sec. East, a chord length of 70.98 feet and an arc length of 70.70 feet to a punch mark in brick set for corner in the Northeast line of said Lot 184, Block 39, same being the Southwest line of said Pearl Street;

THENCE South 43 deg. 59 min. 17 sec. East along and with the Southwest line of said Pearl Street, same being the Northeast line of said Lot 184, Block 39 and said Block 38, a distance of 407.11 feet to the PLACE OF BEGINNING, containing 2.1444 acres (93,411.6 square feet) of land, more or less.

(This description is based upon a survey made on the ground under my direct supervision on September 11, 2014 and is being submitted along with a survey plat showing the property and facts found as described herein. All bearings are based upon the Texas Coordinate System of 1983, South Central Zone '4204' (US Survey foot). All distances and acreages are surface with a combined adjustment factor of 1.00007 applied.)



Registered Professional Land Surveyor



Corporate Office:
1480 Cornerstone Court
Beaumont, Texas 77706
Tel: 409.866.9769 Fax: 409.866.7075
www.wortech.com

2014-080 Revision 1 Desc_City of Beaumont

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Kyle Hayes, as an authorized representative of City of Beaumont Texas, 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. *(caveated by explanation next page)*
- 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. *(by the applicant or by the retained contractor on behalf of the applicant)*
- Notice has been provided in accordance with THSC 361.805. *(by the applicant or by the retained contractor on behalf of the applicant)*
- 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.

LIL

Date: 1-20-16

Signature
Kyle Hayes

Printed Name
City Manager

Title

STATE OF Texas

COUNTY OF Jefferson

SUBSCRIBED AND SWORN before me on this the 20th day of January 2016, to which witness my hand and seal of office.

Angela Marie Thomas

Notary Public in and for the State of Texas

