

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*

May 9, 2016

Mr. Jeff Powell  
Jones-Blair Company, LLC  
2728 Empire Central  
Dallas, Texas 75235

Re: Municipal Setting Designation (MSD) Certificate for Jones Blair Company, LLC,  
Jones-Blair Company, 2728 Empire Central, Dallas, Dallas County, Texas; MSD  
No. 319; Customer No. CN600351035; Regulated Entity No. RN100640580

Dear Mr. Powell:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on February 5, 2016 and additional information supporting this MSD application on April 14, 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) 239-3044 or via e-mail ([timothy.eckert@tceq.texas.gov](mailto:timothy.eckert@tceq.texas.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Eckert".

Timothy Eckert, P.G., Project Manager  
VCP-CA Section  
Remediation Division

TJE/mdh

cc: Mr. Matt Barfknecht, Plant Manager, Jones-Blair Company, LLC, 2728 Empire  
Central, Dallas, Texas 75235

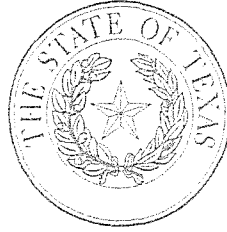
Mr. Lance Crabtree, Terracon Consultants, Inc. (via email)

Mr. Tim Jennings, Eco-Southwest, Inc. (via email)

Mr. Sam Barrett, Waste Section Manager, TCEQ Dallas/Fort Worth Region  
Office, 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. 319, 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 6<sup>th</sup> day of May, 2016

Beth Seaton

Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality

MSD EXHIBIT DESCRIPTION

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEING a tract of land situated in the M. BENNETT Survey, Abstract No. 52, City of Dallas, Dallas, County, Texas and being all of the following tracts, Jones-Blair Company, recorded in Volume 2003105, Page 16278, Deed Records, Dallas County, Texas (D.R.D.C.T.), Jones-Blair Paint and Varnish Company, Volume 2228, Page 17, Deed Records, Dallas County, Texas, D.R.D.C.T., Jones-Blair Company, recorded in Volume 76061, Page 707, D.R.D.C.T., City of Dallas, recorded in Volume 2507, Page 611, D.R.D.C.T., Jones-Blair Company, recorded in Volume 95228, Page 1108, D.R.D.C.T., Jones-Blair Paint Company, Inc., recorded in Volume 5141, Page 125, D.R.D.C.T., Jones-Blair Company, and also being a portion of Hawes Avenue (50' right-of-way), portions of Maple Avenue (variable width right-of-way) and a portion of Empire Central (44.2' right-of-way), and being more particularly described as follows:

BEGINNING at the intersection of the southwest right-of-way line of D.A.R.T. (Dallas Area Rapid Transit, 100' right-of-way), same being the northeast right-of-way of Denton Drive (40' right-of-way) with the northwest right-of-way line of Empire Central (44.2' right-of-way); (N=6,990,180.506, E=2,476,499.795 - NAD 83, grid)

THENCE South 45 deg 37 min 02 sec East, departing the northeast right-of-way line of said Denton Drive, crossing the right-of-way line of said Empire Central and along the southwest right-of-way line of said D.A.R.T., a distance of 520.78 feet to a point for corner, said point being the most northerly corner of a tract of land as described in deed to Quad Williamson, LLC, recorded in Instrument No. 201200035064, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), same being the most easterly corner of said Jones-Blair Company tract (Volume 76061, Page 707;

THENCE South 45 deg 35 min 17 sec West, departing the southwest right-of-way line of said D.A.R.T. and along the southeast line of said Jones-Blair Company tract, same being the northwest line of said Quad Williamson tract, a distance of 351.75 feet to a point for corner, said point being the westerly corner of said Quad Williamson tract and being situated in the easterly line of said City of Dallas tract;

THENCE South 45 deg 41 min 15 sec East, along the easterly line of said City of Dallas tract and the southwest line of said Quad Williamson tract, a distance of 10.41 feet to a point for corner, said point being the most northerly corner of a tract of land described in deed to Luedtke Aldridge Partnership, recorded in Volume 85012, Page 4165, D.R.D.C.T.;

THENCE South 16 deg 46 min 19 sec West, continuing along the easterly line of said City of Dallas tract and along the northwest line of said Luedtke Aldridge tract, a distance of 225.13 feet to a point for corner, said point being the most westerly corner of said Luedtke Aldridge tract and being the most northerly tract of said Jones-Blair Company tract (Volume 95228, Page 1108);

THENCE South 45 deg 44 min 08 sec East, departing the easterly line of said City of Dallas tract and along the southwest line of said Luedtke Aldridge tract same being the northeast line of said Jones-Blair tract and crossing the right-of-way of said Hawes Avenue, a distance of 532.38 feet to a point for corner situated in the southeast right-of-way line of said Hawes Avenue;

THENCE South 45 deg 27 min 05 sec West, along the southwest right-of-way line of said Hawes Avenue and crossing the right-of-way line of said Maple Avenue, a distance of 561.47 feet to a point for corner situated in the southwest right-of-way line of said Maple Avenue;

THENCE North 47 deg 39 min 32 sec West, along the southwest right-of-way line of said Maple Avenue, a distance of 32.98 feet to a point for corner;

(con't SHEET 2)

**Winkelmann & Associates, Inc.**  
CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090  
DALLAS, TEXAS 75238 (972) 490-7098 FAX

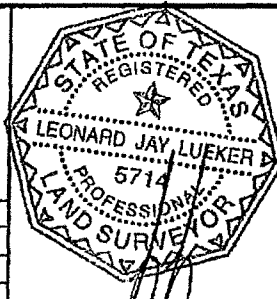
Texas Engineers Registration No. 89  
Firm Registration/License No. 10080000 Expires 12-31-15  
COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale: N/A

Date: 01.09.15

Dwg. File: 69105-MSD

Project No.: 69105.00



MSD EXHIBIT  
18.543 ACRES  
(807,754 SQ. FT.)

TERRACON  
8901 CARPENTER FREEWAY, SUITE 100  
DALLAS, TEXAS 75247

SHEET  
1  
OF  
7

2/24/15

MSD EXHIBIT DESCRIPTION  
 con't from SHEET 1)

THENCE North 43 deg 17 min 21 sec West, continuing along the southwest right-of-way line of said Maple Avenue, a distance of 417.91 feet to a point for corner;

THENCE North 43 deg 27 min 24 sec West, continuing along said southwest right-of-way line, a distance of 36.03 feet to a point for corner;

THENCE North 28 deg 02 min 58 sec East, crossing the right-of-way of said Maple Avenue and along the westerly line of said City of Dallas tract, a distance of 314.47 feet to a point for corner;

THENCE North 38 deg 10 min 55 sec East, continuing along the westerly line of said City of Dallas tract, a distance of 198.90 feet to a point for corner, said point being a corner in the southeast line of said Jones-Blair Paint Company, Inc. tract (Volume 5141, Page 125);

THENCE North 42 deg 37 min 02 sec West, departing the westerly line of said City of Dallas tract and along the southeast line of said Jones-Blair Paint Company tract, a distance of 50.00 feet to a point for corner;

THENCE South 49 deg 05 min 58 sec West, continuing along the southeast line of said Jones-Blair Paint Company tract and crossing the right-of-way of Maple Avenue, a distance of 496.24 feet to a point for corner situated on the southwest right-of-way line of said Maple Avenue;

THENCE North 43 deg 27 min 24 sec West, along the southwest right-of-way line of said Maple Avenue, a distance of 268.80 feet to a point for corner;

THENCE North 44 deg 20 min 12 sec East, crossing the right-of-way of said Maple Avenue and along the northwest line of said Jones-Blair Paint Company tract (unknown deed), a distance of 276.94 feet to a 1/2 inch iron rod with yellow plastic cap stamped "kad" found for corner, said iron rod being the southerly corner of said Jones-Blair Company tract (Volume 2003105, Page 16278);

THENCE North 34 deg 52 min 48 sec West, departing the northwest line of said Jones-Blair Paint Company tract and crossing the right-of-way of said Empire Central, a distance of 197.49 feet to a point for corner situated in the northwest right-of-way line of said Empire Central; (N=6,989,635.333, E=2,475,966.242 - NAD 83, grid)

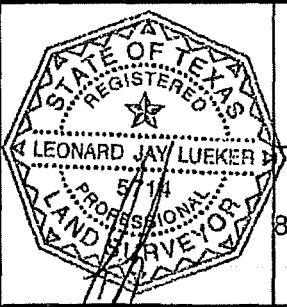
THENCE North 44 deg 22 min 58 sec East, along the northwest right-of-way line of said Empire Central, a distance of 762.82 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 18.543 acres or 807,754 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 10th day of December, 2014, utilizing a G.P.S. measurement (NAD 83) of North 44 deg 22 min 58 sec East, along the Northwesternly line of Empire Central (44.2' right-of-way).

**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
 6750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230 (972) 490-7090 (972) 490-7091 FAX  
 Texas Engineers Registration No. 89 Firm Registration/Reissue No. 10066500 Expires 12-31-15 COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale: N/A  
 Date: 01.09.15  
 Dwg. File: 69105-MSD  
 Project No.: 69105.00

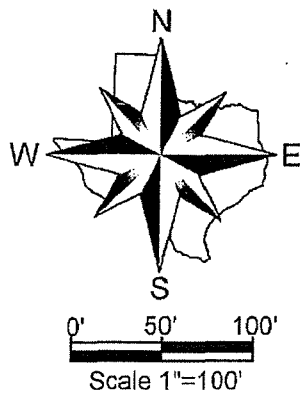


MSD EXHIBIT  
 18.543 ACRES  
 (807,754 SQ. FT.)

TERRACON  
 8901 CARPENTER FREEWAY, SUITE 100  
 DALLAS, TEXAS 75247

**SHEET**  
**2**  
**OF**  
**7**

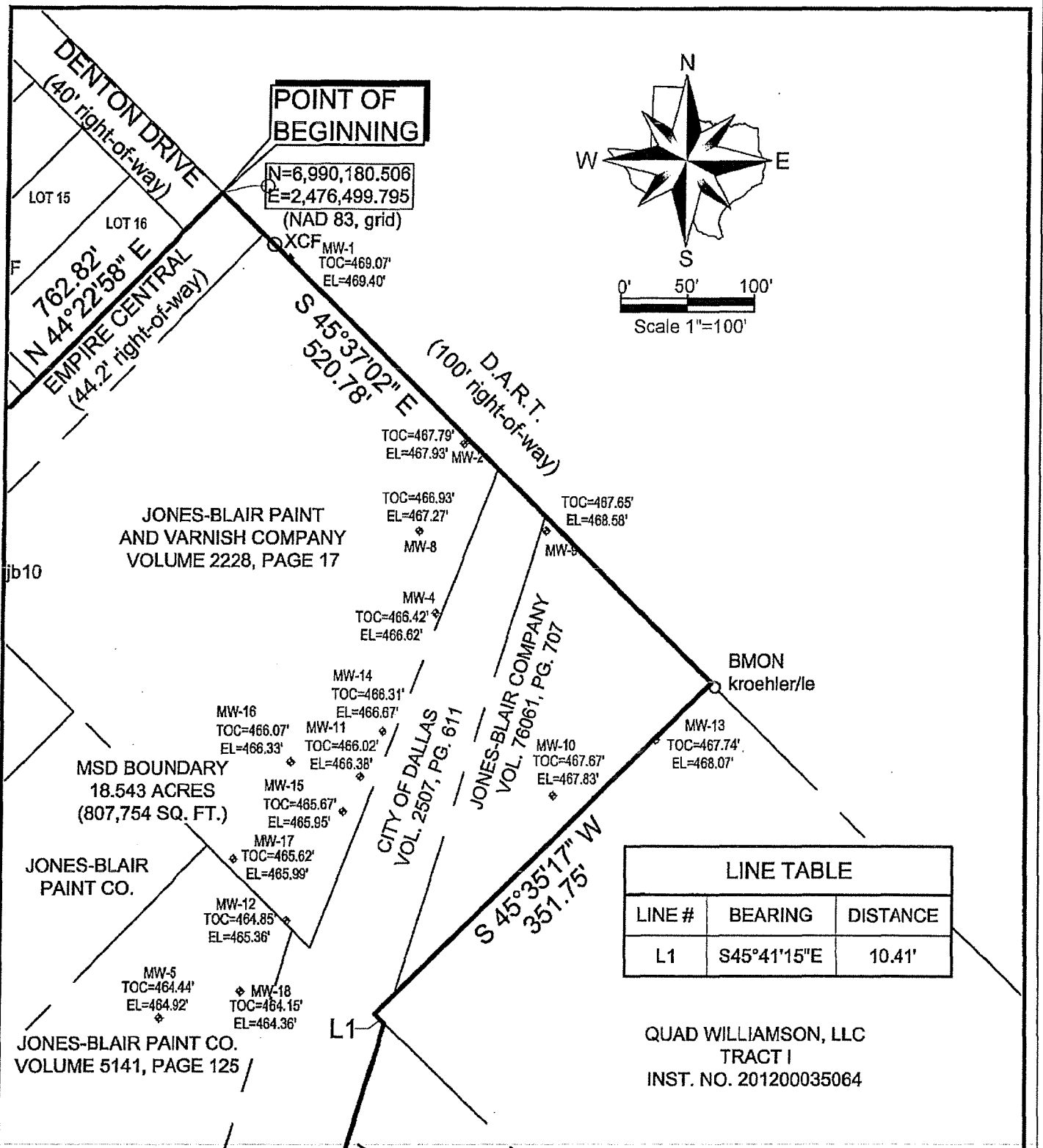
11 2/24/15



**POINT OF BEGINNING**

N=6,990,180.506  
E=2,476,499.795  
(NAD 83, grid)

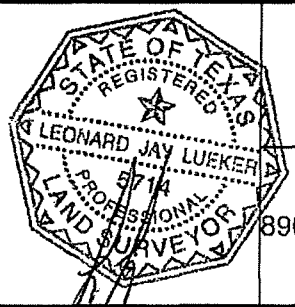
XCF MW-1  
TOC=469.07'  
EL=469.40'



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S45°41'15"E	10.41'

**Winkelmann & Associates, Inc.**  
CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
6760 HILLCREST PLAZA DRIVE, SUITE 225 (972) 490-7090  
DALLAS, TEXAS 75230 (972) 490-7099 FAX  
Texas Engineers Registration No. 89  
Firm Registration/License No. 10085600 Expires 12-31-15  
COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale: 1" = 100'  
Date: 01.09.15  
Dwg. File: 69105-MSD  
Project No.: 69105.00

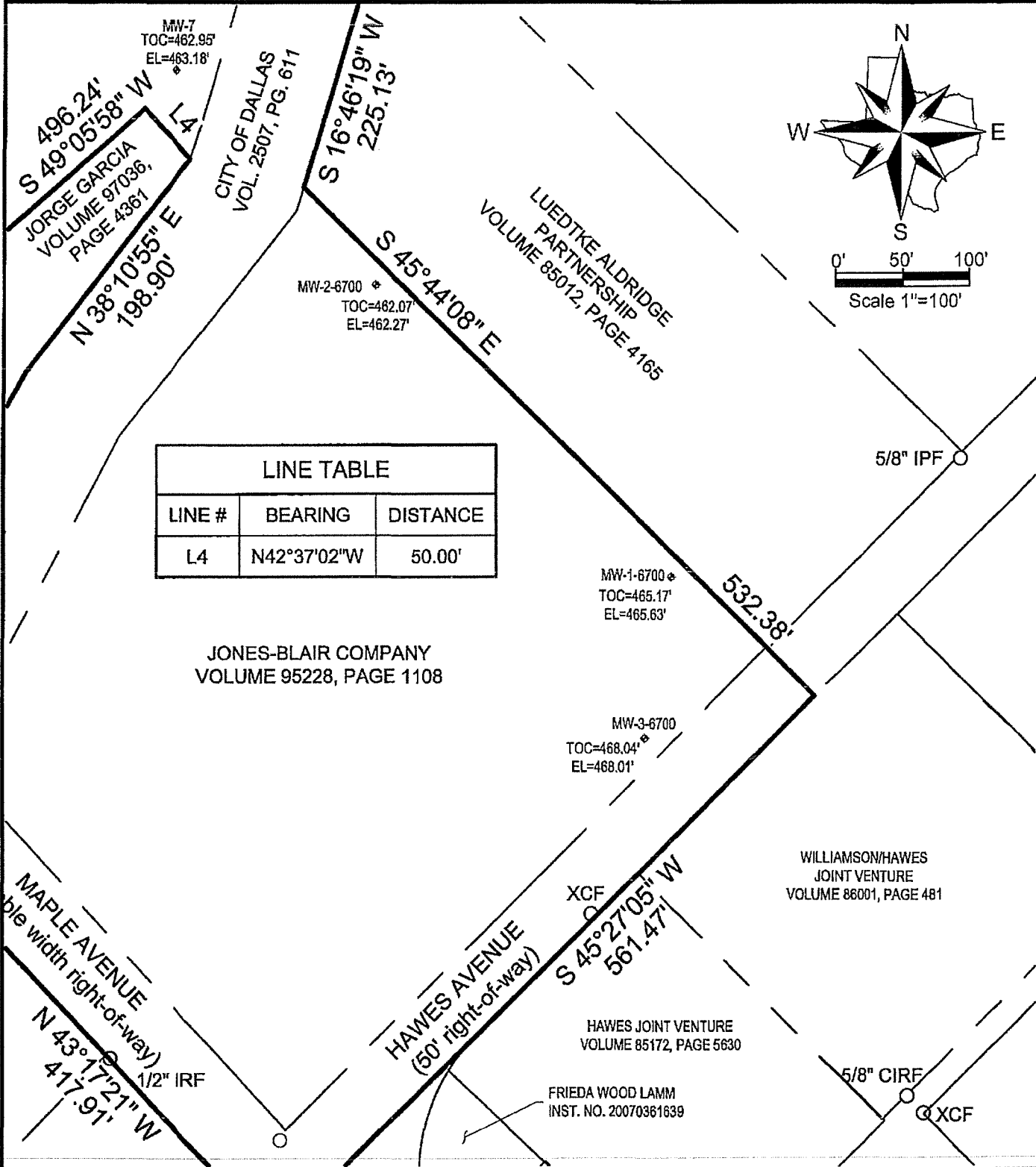
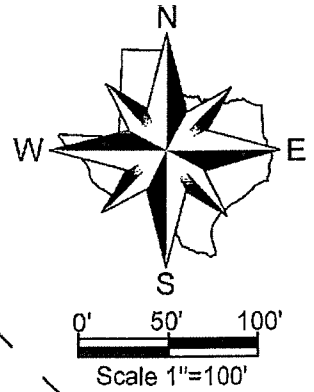


MSD EXHIBIT  
18.543 ACRES  
(807,754 SQ. FT.)

TERRACON  
8901 CARPENTER FREEWAY, SUITE 100  
DALLAS, TEXAS 75247

**SHEET**  
**3**  
**OF**  
**7**

2/24/15



LINE TABLE		
LINE #	BEARING	DISTANCE
L4	N42°37'02"W	50.00'

JONES-BLAIR COMPANY  
 VOLUME 95228, PAGE 1108

MW-1-6700  
 TOC=465.17'  
 EL=465.63'

MW-3-6700  
 TOC=468.04'  
 EL=468.01'

WILLIAMSON/HAWES  
 JOINT VENTURE  
 VOLUME 86001, PAGE 481

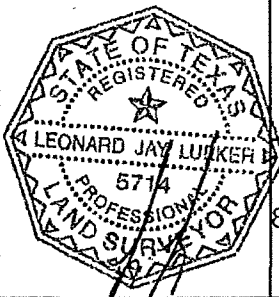
HAWES JOINT VENTURE  
 VOLUME 85172, PAGE 5630

FRIEDA WOOD LAMM  
 INST. NO. 20070361639

**Winkelmann & Associates, Inc.**

CONSULTING CIVIL ENGINEERS & SURVEYORS  
 6750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230  
 (872) 490-7060 (872) 490-7089 FAX  
 Texas Engineers Registration No. 89  
 Firm Registration/License No. 10066900 Expires 12-31-16  
 COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale: 1" = 100'  
 Date: 01.09.15  
 Dwg. File: 69105-MSD  
 Project No.: 69105.00

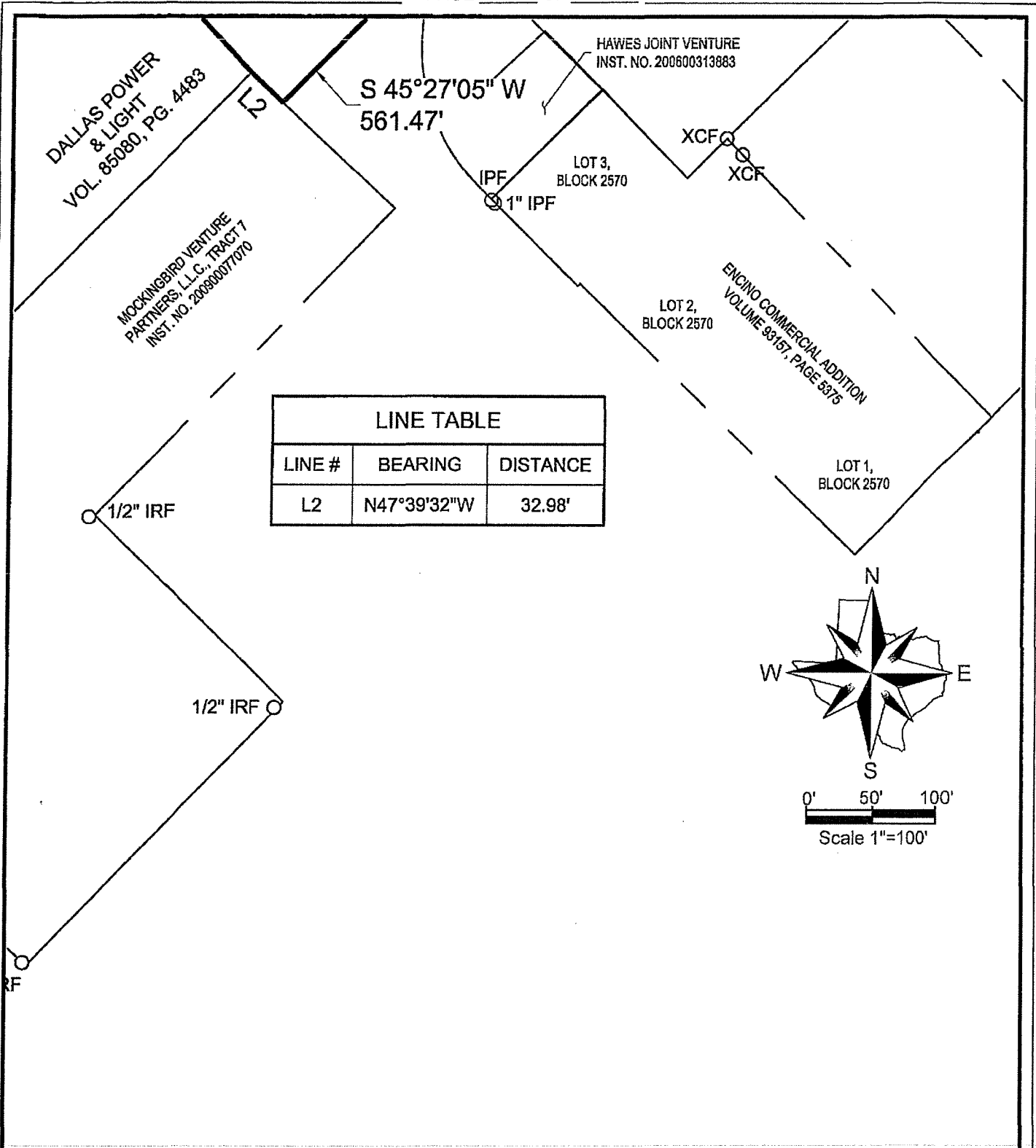


MSD EXHIBIT  
 18.543 ACRES  
 (807,754 SQ. FT.)

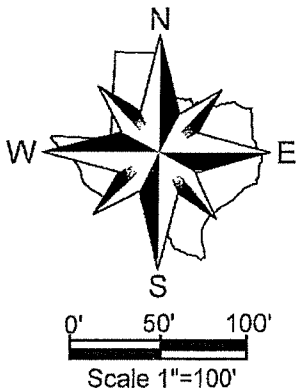
TERRACON  
 8901 CARPENTER FREEWAY, SUITE 100  
 DALLAS, TEXAS 75247

**SHEET**  
**4**  
**OF**  
**7**

2/24/15

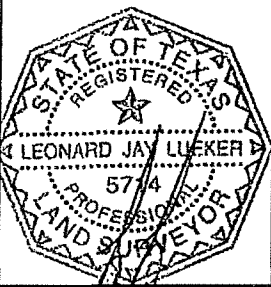


LINE TABLE		
LINE #	BEARING	DISTANCE
L2	N47°39'32"W	32.98'



**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
 8750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230  
 (872) 490-7090 (872) 490-7099 FAX  
 Texas Engineers Registration No. 89  
 Firm Registration/License No. 10086600 Expires 12-31-15  
 COPYRIGHT © 2016, Winkelmann & Associates, Inc.

Scale: 1" = 100'  
 Date: 01.09.15  
 Dwg. File: 69105-MSD  
 Project No.: 69105.00

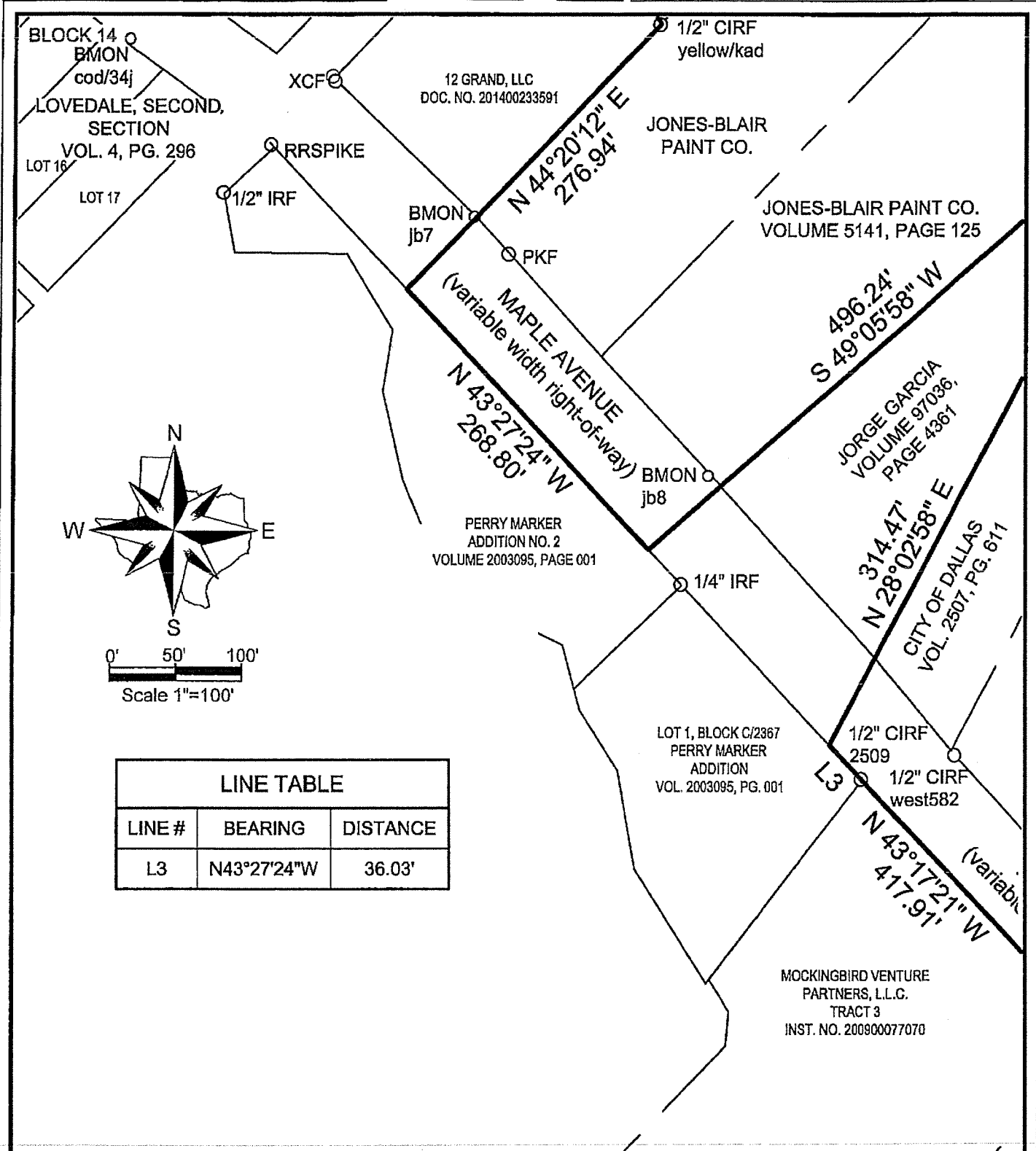


MSD EXHIBIT  
 18.543 ACRES  
 (807,754 SQ. FT.)

TERRACON  
 8901 CARPENTER FREEWAY, SUITE 100  
 DALLAS, TEXAS 75247

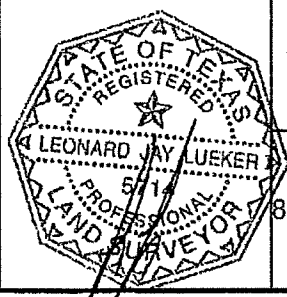
**SHEET**  
**5**  
**OF**  
**7**

2/24/15



**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
 6780 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230  
 (972) 490-7090 (972) 490-7099 FAX  
 Texas Engineers Registration No. 89  
 Firm Registration License No. 10086600 Expires 12-31-15  
 COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale: 1" = 100'  
 Date: 01.09.15  
 Dwg. File: 69105-MSD  
 Project No.: 69105.00



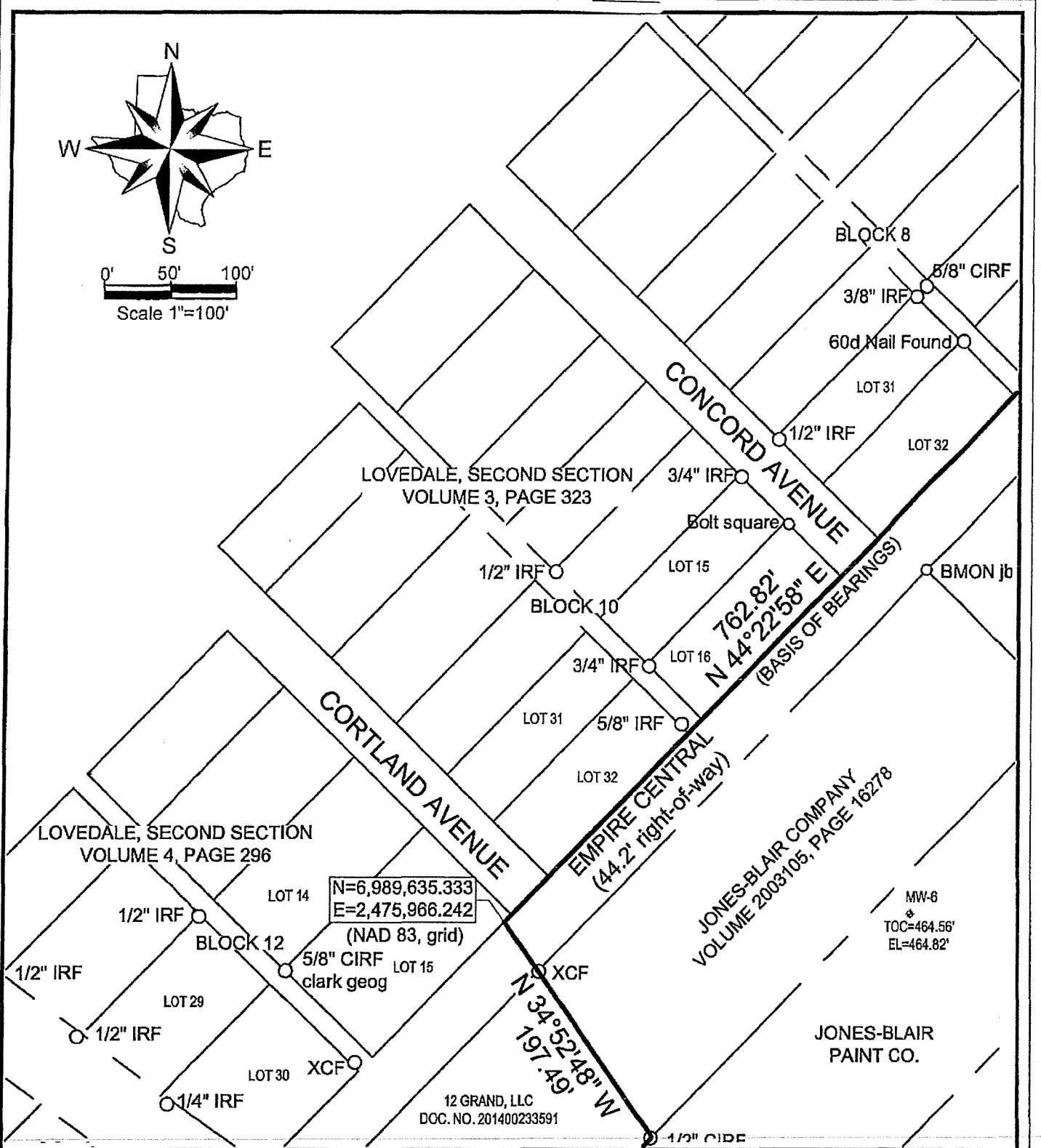
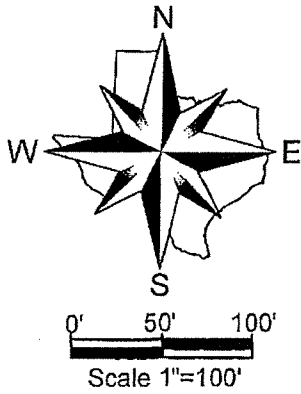
**MSD EXHIBIT**  
 18.543 ACRES  
 (807,754 SQ. FT.)

**TERRACON**  
 8901 CARPENTER FREEWAY, SUITE 100  
 DALLAS, TEXAS 75247

**SHEET**  
**6**  
**OF**  
**7**

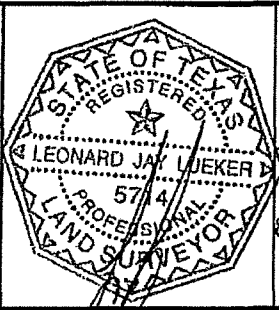
2/24/15





**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
 8750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090  
 DALLAS, TEXAS 75220 (972) 490-7099 FAX  
 Texas Engineers Registration No. 80  
 Firm Registration License No. 10089600 Expires 12-31-15  
 COPYRIGHT © 2016, Winkelmann & Associates, Inc.

Scale: 1" = 100'  
 Date: 01.09.15  
 Dwg. File: 69105-MSD  
 Project No.: 69105.00

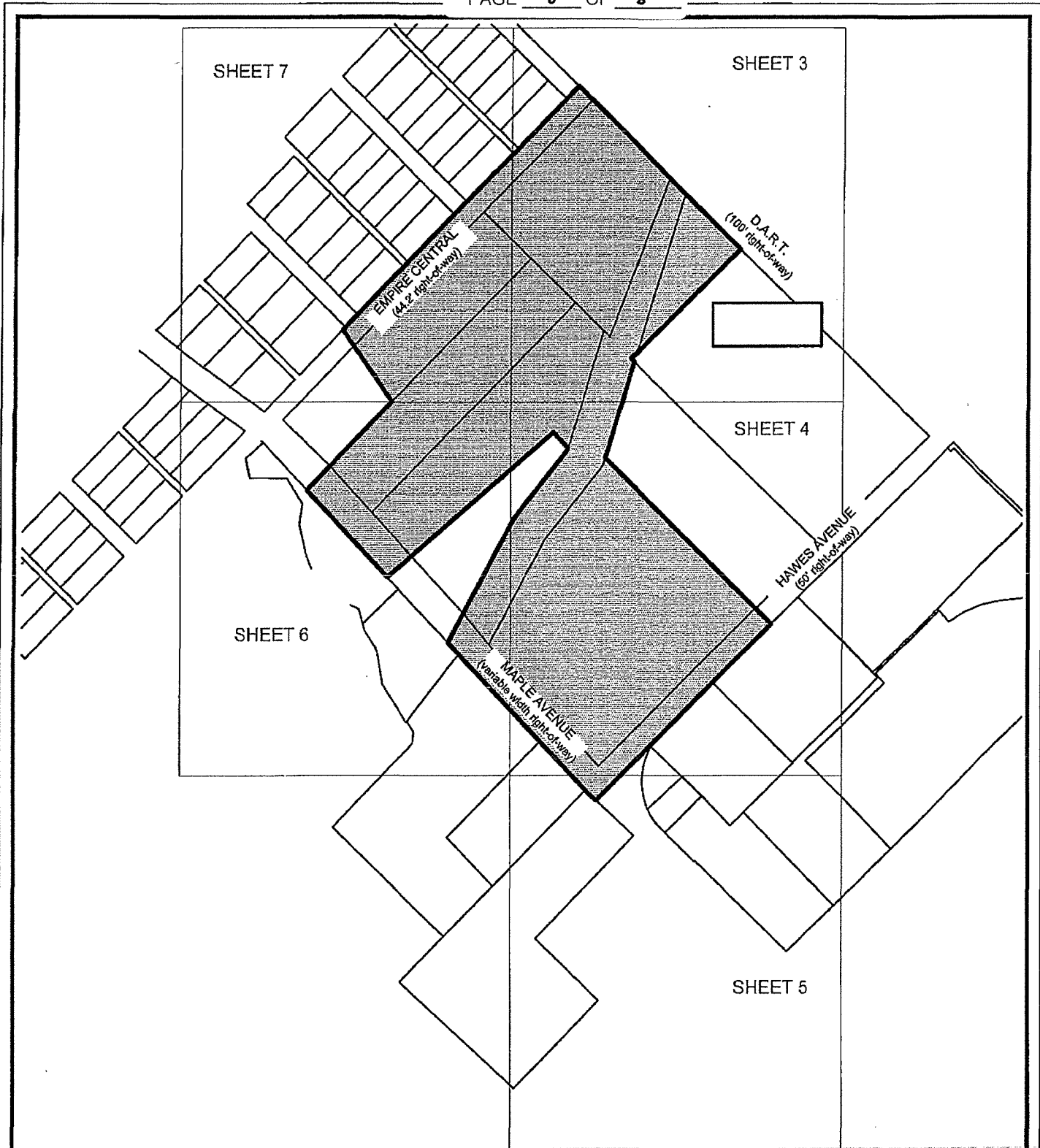


MSD EXHIBIT  
 18.543 ACRES  
 (807,754 SQ. FT.)

TERRACON  
 8901 CARPENTER FREEWAY, SUITE 100  
 DALLAS, TEXAS 75247

**SHEET**  
**7**  
**OF**  
**7**

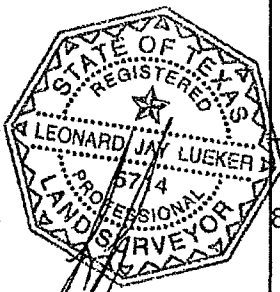
2/24/15



**Winkelmann  
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS  
 6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090  
 DALLAS, TEXAS 75250 (972) 490-7099 FAX  
 Texas Engineers Registration No. 89  
 Firm Registration/Case No. 10066800 Expires 12-31-15  
 COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale : N/A  
 Date : 01.09.15  
 Dwg. File : 69105-MSD  
 Project No. : 69105.00



2/24/15

MSD EXHIBIT  
 18.543 ACRES  
 (807,754 SQ. FT.)

TERRACON  
 8901 CARPENTER FREEWAY, SUITE 100  
 DALLAS, TEXAS 75247

**KEY  
 MAP**

# Exhibit B

## Municipal Setting Designation

### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Jeff Powell, as an authorized representative of Jones-Blair Company, 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.

Jeff Powell  
Signature

Date: 2-1-16

Jeffrey J. Powell  
Printed Name

President & CEO  
Title

STATE OF Texas

COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 1<sup>st</sup> day of February 2016, to which witness my hand and seal of office.

Veronica G. James  
Notary Public in and for the State of Texas

