

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

December 29, 2016

Mr. Don Kerstetter
Classic Chevrolet Sugarland, LLC
13115 Southwest Freeway
Sugarland, Texas 77478

Re: Municipal Setting Designation (MSD) Certificate for Classic Chevrolet Sugar Land, LLC, Stafford Maintenance Facility, 5101 South Main Street, Stafford, Fort Bend County, Texas; MSD No. 326; Customer No. CN603537317; Regulated Entity No. RN105838213

Dear Mr. Kerstetter:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on May 13, 2016 and additional information supporting this MSD application on July 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) 239-3044 or via e-mail (timothy.eckert@tceq.texas.gov).

Sincerely,

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

Timothy Eckert, Project Manager
VCP-CA Section
Remediation Division

TJE/jdm

cc: Mr. Kenneth Tramm, Modern Geosciences, LLC (via e-mail)
Mr. Jason Ybarra, Waste Section Manager, TCEQ Houston Region Office, R-12
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. 326, in the City of Stafford, 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 27th day of December, 2016

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

EXHIBIT "A"
LEGAL DESCRIPTION
MUNICIPAL SETTING DESIGNATION AREA

BEING 5.242 acres of land located in RESERVE "A", shown on the re-plat of LANDMARK PLAZA, an addition to the City of Stafford, Fort Bend County, Texas, according to the plat recorded in Slide 932-A, of the Map Records of Fort Bend County, Texas, and said 5.242 acres of land also being the same tract of land designated at Tract 2, in the deed to 8705 Partners, Ltd., recorded in County Clerk's File No. 2009017580, of the Official Public Records of Fort Bend County, Texas. Said 5.242 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a point, in the East boundary line of said RESERVE "A", LANDMARK PLAZA ADDITION, and said POINT OF BEGINNING being located S 00° 38' 22" E 15.26 feet, from the original Northeast corner of said RESERVE "A", and said POINT OF BEGINNING also lying at the Southeast corner of the 0.207 acre tract of land described as Part 2, in the deed to the State of Texas, for the widening of State Highway No. 90-A, recorded in County Clerk's File No. 9850960, of the Official Public Records of Fort Bend County, Texas;

THENCE S 00° 38' 22" E 507.71 feet, along the East boundary line of said RESERVE "A", to a point at the Southeast corner of said RESERVE "A", lying in the North boundary line of Block 1, Sugar Creek Section 28 Re-plat, an addition to the City of Stafford, Fort Bend County, Texas, according to the plat recorded in Slide Nos. 818-A and 818-B, of the Map Records of Fort Bend County, Texas;

THENCE S 89° 21' 47" W 457.37 feet, along the South boundary line of said RESERVE "A" and the North boundary line of said Block 1, Sugar Creek Section Re-plat, to a point at the Southwest corner of said RESERVE "A";

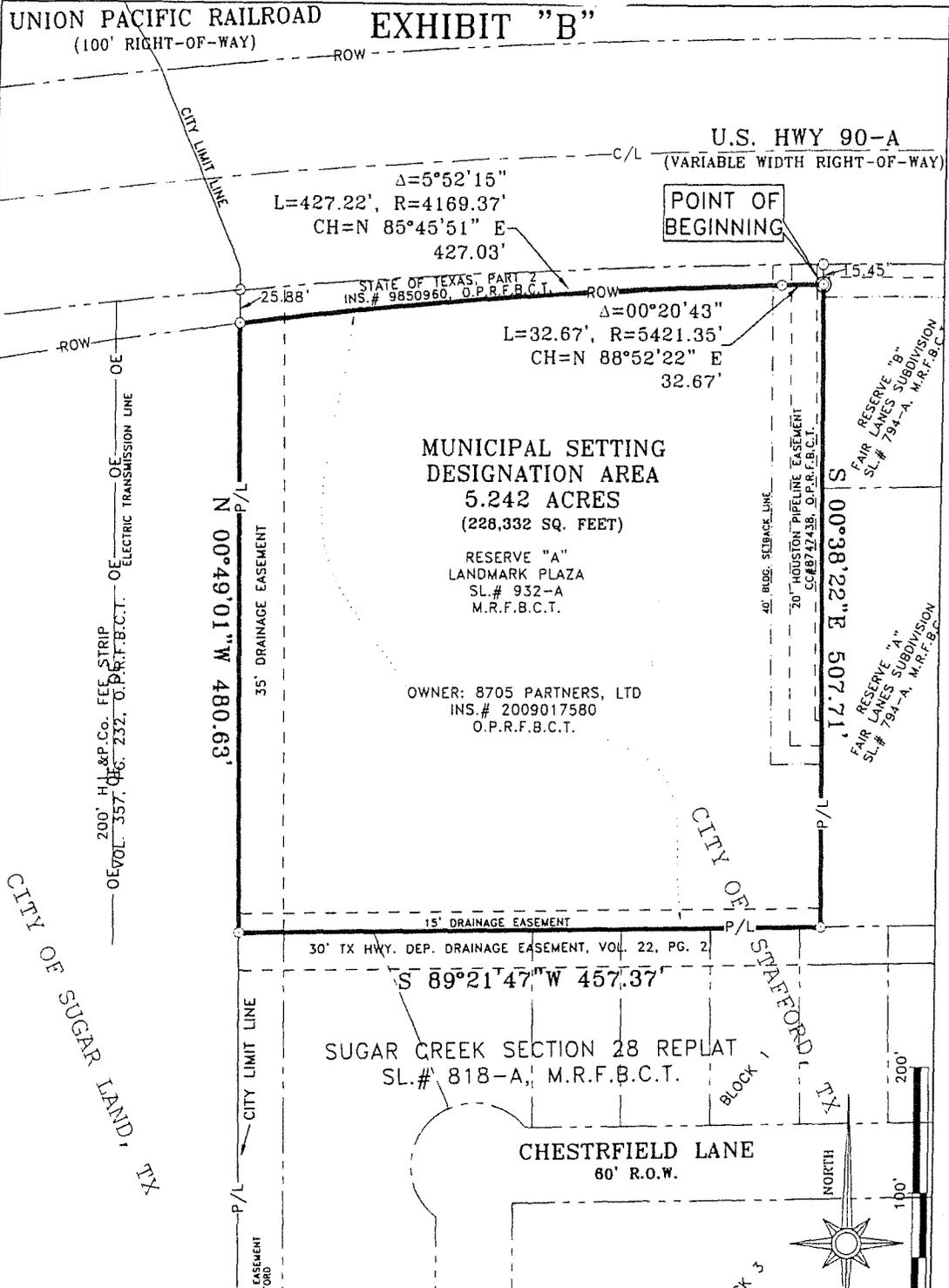
THENCE N 00° 49' 01" W 480.63 feet, along the West boundary line of said RESERVE "A", to a point in the South right-of-way line of aforesaid U.S. Highway No. 90-A, lying at the Southwest corner of aforesaid 0.207 acre State of Texas Tract;

THENCE along the South right-of-way line of said U.S. Highway No. 90-A and the South boundary line of said 0.207 acre State of Texas Tract, as follows:

1. NORTHEASTERLY 427.22 feet, along a curve to the right, having a radius of 4169.37 feet, a central angle of 05° 52' 15", and a chord bearing N 85° 45' 51" E 427.03 feet, to a point at the end of said curve, and the beginning of another curve to the right;
2. EASTERLY 32.67 feet, along said curve to the right, having a radius of 5421.35 feet, a central angle of 00° 20' 43", and a chord bearing N 88° 52' 22" E 32.67 feet, to the POINT OF BEGINNING containing 5.242 acres (228,332 SQUARE FEET) of land.



Krzysztof Golobiewski
Sept. 16, 2015



5101 SOUTH MAIN STREET, STAFFORD, TX
MUNICIPAL SETTING DESIGNATION AREA MAP
SCALE 1"=100'

BRITAIN & CRAWFORD
LAND SURVEYING &
TOPOGRAPHIC MAPPING

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MUNICIPAL SETTING DESIGNATION AREA
5.242 ACRES OF LAND
LOCATED WITHIN
RESERVE "A"
LANDMARK PLAZA
STAFFORD, FORT BEND COUNTY, TX

STATE OF TEXAS
REGISTERED
KRYSTIAN CRAWFORD
6400
PROFESSIONAL
LAND SURVEYOR

SEPTEMBER 15, 2015

Exhibit B

Municipal Setting Designation

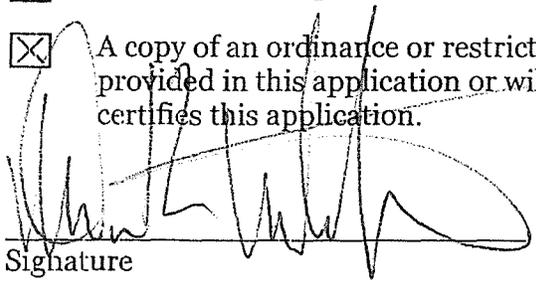
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Don Kerstetter, as an authorized representative of Classic Chevrolet Sugar Land, 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.


Signature

Date: 05/06/16

Don Kerstetter
Printed Name
Manager/Dealer
Title

STATE OF TEXAS
COUNTY OF FORT BEND

SUBSCRIBED AND SWORN before me on this the 6TH day of MAY 2016, to which witness my hand and seal of office.

ELIZABETH RODRIGUEZ
Notary Public in and for the State of TEXAS

