

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

February 20, 2017

Mr. C. Kevin LaDue, Vice President - Operations
Rochester Gauges, Inc.
11616 Harry Hines Blvd.
Dallas, Texas 75229

Re: Municipal Setting Designation (MSD) Certificate for Rochester Gauges, Inc.,
Rochester Gauges of Texas, 11616 Harry Hines Blvd., Dallas, Dallas County, TX;
MSD No. 337; Voluntary Cleanup Program (VCP) No. 2443; Customer No.
CN600388573; Regulated Entity No. RN100681444

Dear Mr. LaDue:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on August 23, 2016 and additional information supporting this MSD application on January 20, 2017. 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) 239-2241 or via e-mail (chris.swiderski@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Swiderski".

Chris Swiderski, Project Manager
VCP-CA Section
Remediation Division

CS/jdm

cc: 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. 337, 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 20th day of February, 2017

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

EXHIBIT A

Page 1 of 3

**22.797 Acres
J. B. Shade Survey, Abstract No. 1390
Wm. Sprowls Survey, Abstract No. 1289
City Block No. 6568
City of Dallas
Dallas County, Texas**

BEING 22.797 acres of land situated in the City of Dallas, in the J. B. Shade Survey, Abstract No. 1390 and the Wm. Sprowls Survey, Abstract No. 1289 of Dallas County, Texas and being: all of Lots 44, 45, 46, 47, 48, 49, 53, 54 and 55, Block 6568 of DENTON ROAD ESTATES, an addition to the City of Dallas, according to the plat thereof recorded in Volume 6, Page 173, Map Records, Dallas County, Texas (M.R.D.C.T.), as described in a deed to Gas Equipment Company, recorded in Volume 87029, Page 863, Deed Records, Dallas County, Texas (D.R.D.C.T.); all of Lot 52 and part of Lot 51, Block 6568 of said DENTON ROAD ESTATES, as described in a deed to GAS Equipment Company, recorded in Volume 89185, Page 3209, D.R.D.C.T.; all of lot 50, Block 6568 of said DENTON ROAD ESTATES, as described in a deed to Precise C Corp., recorded in Volume 97209, Page 1750, D.R.D.C.T. and all of Lots 57, 58, 59, 60, 61, 62 and 63, Block 6568 of said DENTON ROAD ESTATES, as described in a deed to An Luxury Imports, Ltd., recorded in Instrument No. 200409200102, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.) and said 22.796 acres of land being more particularly described by metes & bounds as follows:

BEGINNING at a 1/2 inch iron rod, topped with a plastic cap, stamped "Precise", found on the East right-of-way line of Harry Hines Boulevard (164' wide R.O.W. at this point) for the Northwest corner of the above described Lot 44, Block 6568 and same being the Southwest corner of Lot 43, Block 6568 as described in a deed to Howard E. Carr, Jr., recorded in Instrument No. 201200039426, O.P.R.D.C.T.;

THENCE: North 89 deg. 47 min. 59 sec. East, along the common line of said Lots 43 and 44, a distance of 396.11 feet to the Northeast corner of said Lot 44 and same being the common corner of said Lots 43, 57 and 58, Block 6568;

THENCE: North 14 deg. 32 min. 00 sec. West, along the West line of the above described Lots 58, 59, 60, 61, 62 and 63 and the East line of Lots 43, 42, 41, 40, 39 and 38 of Block 6568, at 585.00 feet, passing the Northwest corner of said Lot 63 and the South right-of-way line of Forest Lane (variable width R.O.W. at this point) and continuing on across said Forest Lane for a total distance of 651.55 feet to a point for corner on the North right-of-way line of said Forest Lane, the South right-of-way line of L.B.J. Freeway (I-635) and same being the original South line of City Block 6572;

THENCE: North 89 deg. 47 min. 34 sec. East, along the common line of said Forest Lane and L.B.J. Freeway, at 396.10 feet, passing the original Southeast corner of said Block 6572 at the West right-of-way line of Denton Drive (80' wide R.O.W. at this point) and continuing on across said Denton Drive for a total distance of 478.67 feet to a point for the original Southwest corner of City Block 6569, on the East right-of-way line of said Denton Drive and same being the West right-of-way line of the Dallas Area Rapid Transit (DART) Railway as described in a deed recorded in Volume 90177, Page 4219, D.R.D.C.T.;

THENCE: South 14 deg. 32 min. 00 sec. East (Reference Bearing), across said Forest Lane with the West line of said DART Railway, at 51.60 feet, crossing the South right-of-way line of said Forest Lane and continuing along the common line of said Denton Drive and DART Railway for a total distance of 751.62 feet to a point for corner;

THENCE: South 89 deg. 47 min. 59 sec. West, departing from the common line of said Denton Drive and DART Railway, across said Denton Drive, at 82.57 feet, passing the West right-of-way line of said Denton Drive at the Southeast corner of the above described Lot 57, Block 6568 and same being the Northeast corner of Lot 56, Block 6568 as described in a deed to Larry Keith Chatham, recorded in Volume 98230, Page 3198, D.R.D.C.T. and continuing on along the common line of said Lot 56 and Lot 57, for a total distance of 478.68 feet to the common corner of said Lots 57, 56, 44 and 45, Block 6568;

THENCE: South 14 deg. 32 min. 00 sec. East, along the common line of said Lot 45 and Lot 56, a distance of 100.00 feet to the common corner of said Lots 45, 46, 55 and 56, Block 6568;

THENCE: North 89 deg. 47 min. 59 sec. East, along the common line of said Lot 55 and Lot 56, at 396.11 feet passing the Northeast corner of said Lot 55 and the Southeast corner of said Lot 56 on the West right-of-way line of said Denton Drive and continuing on across said Denton Drive for a total distance of 478.68 feet to a point for corner on the East right-of-way line of said Denton Drive and the West right-of-way line of said DART Railway;

THENCE: South 14 deg. 32 min. 00 sec. East, along the common line of said Denton Drive and DART Railway, a distance of 400.00 feet to a point for corner;

THENCE: South 89 deg. 47 min. 59 sec. West, departing from the common line of said Denton Drive and DART Railway, across said Denton Drive, at 82.57 feet, passing the West right-of-way line of said Denton Drive at the Southeast corner of the above described Lot 52, Block 6568 and same being the Northeast corner of Lot 51, Block 6568 as described in a deed to REZ Enterprises, Inc., recorded in Instrument No. 200900123110, O.P.R.D.C.T. and continuing along the common line of said Lot 52 and Lot 51 for a total distance of 308.35 feet to the Northwest corner of said REZ Enterprises tract and same being an inside ell corner for the above described tract of land conveyed by deed to Gas Equipment Company, recorded in Volume 89185, Page 3209, D.R.D.C.T.;

THENCE: South 14 deg. 21 min. 35 sec. East, along the common line of said Gas Equipment Company and REZ Enterprises tracts, at 158.29 feet, passing the Southerly Southeast corner of said Gas Equipment Company tract and the Southwest corner of said REZ Enterprises tract, on the North line of a 25' wide Reservation for Road as per the above described plat recorded in Volume 6, Page 173, M.R.D.C.T. and continuing across said road reservation for a total distance of 184.10 feet to a point for corner on the South line of said 25' road reservation;

THENCE: North 89 deg. 59 min. 00 sec. West, along the South line of said 25' road reservation, at 566.42 feet, passing the East right-of-way line of the above described Harry Hines Boulevard and continuing across said Harry Hines Boulevard for a total distance of 735.85 feet to a point for corner on the West right-of-way line of said Harry Hines Boulevard and the East line of City Block 6567;

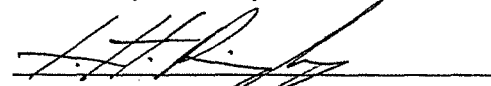
THENCE: North 14 deg. 32 min. 00 sec. West, along the common line of said Harry Hines Boulevard and Block 6567, a distance of 781.37 feet to a point for corner;

THENCE: North 89 deg. 47 min. 59 sec. East, across said Harry Hines Boulevard, a distance of 169.27 feet to the POINT OF BEGINNING and containing 993,014 square feet or 22.797 acres of land.

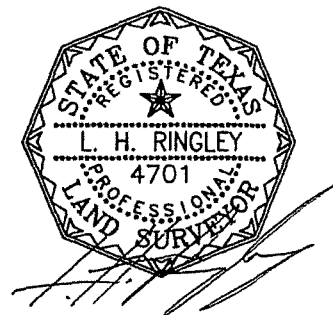
Note:

1. The Reference Bearing for the above prepared metes & bounds description is South 14 deg. 32 min. 00 sec. East along the West right-of-way line of Denton Drive as described in the Dedication of the Plat, Denton Road Estates, recorded in Volume 6, Page 173, Map Records of Dallas County, Texas.
2. This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.
3. A drawing exhibit of equal date, accompanies this metes & bounds description

Prepared Under My Hand and Seal,
This 20th Day of February, 2013.



Lawrence H. Ringley, R.P.L.S.
State of Texas, No. 4701



Prepared By:

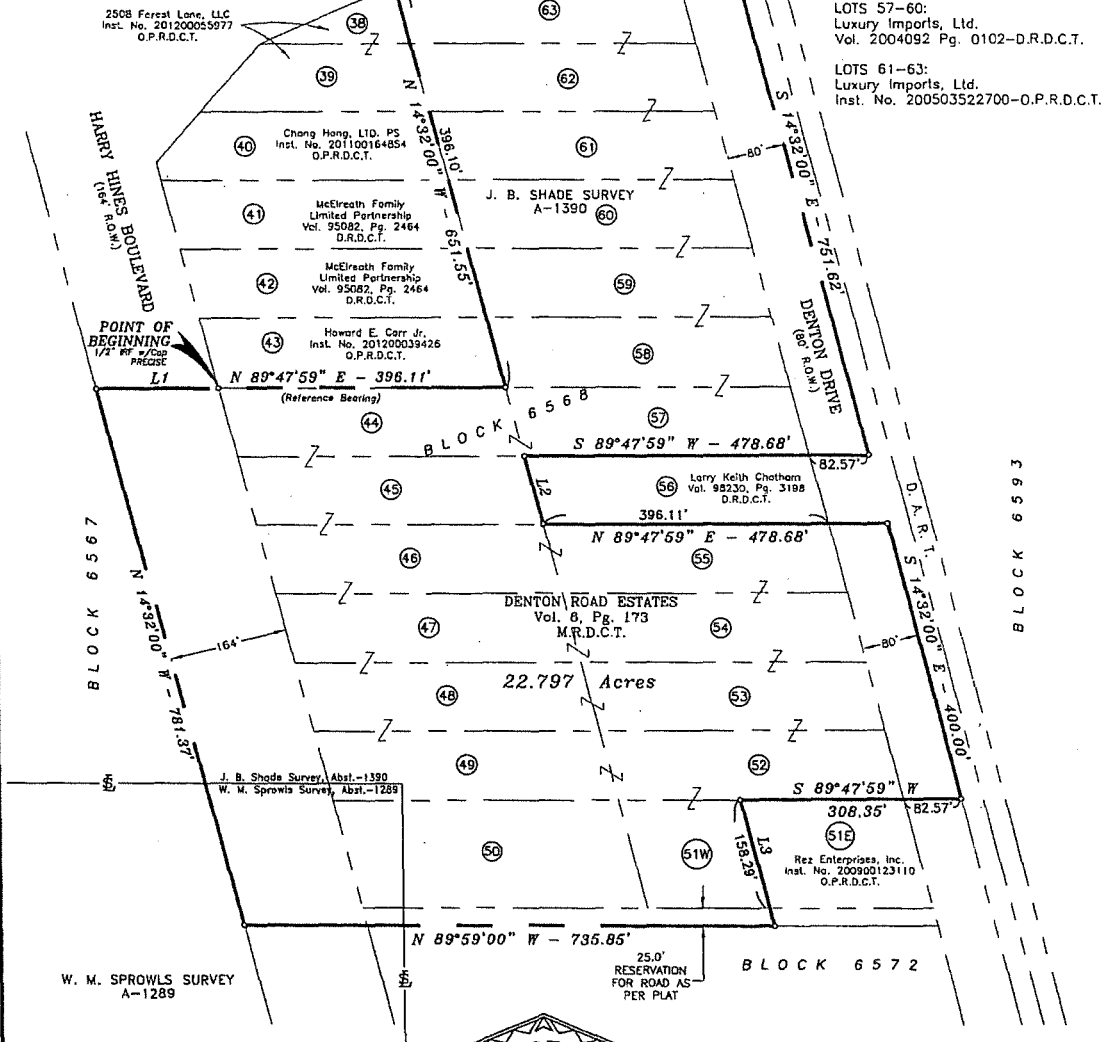
RINGLEY & ASSOCIATES, INC.
701 S. Tennessee Street
McKinney, Texas 75069
972-542-1266



BLOCK 6572

L. B. J. FRWY. I. H. NO. 635
(Variable Width R.O.W.)

Scale: 1"=200'

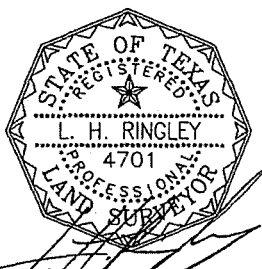


SUBJECT PROPERTY:

- LOTS 44-49, & 53-55:
Gas Equipment Company, Inc.
Vol. 87029, Pg. 863-D.R.D.C.T.
- LOT 52 & WEST HALF OF LOT 51
Gas Equipment Company, Inc.
Vol. 89185, Pg. 3209-D.R.D.C.T.
- LOT 50:
Precise C Corp.
Vol. 97209, Pg. 01750-D.R.D.C.T.
- LOTS 57-60:
Luxury Imports, Ltd.
Vol. 2004092 Pg. 0102-D.R.D.C.T.
- LOTS 61-63:
Luxury Imports, Ltd.
Inst. No. 200503522700-O.P.R.D.C.T.

A metes & bounds description of equal date accompanies this drawing exhibit.

LINE	BEARING	DISTANCE
L1	N 00°15'02" W	169.27'
L2	S 14°32'00" E	100.00'
L3	S 14°21'35" E	184.10'



REFERENCE BEARING:

The Basis of Bearings for this Exhibit is South 14 deg. 32 min. 00 sec. East, along the West right-of-way line of Denton Drive as described in the Dedication of the Plat, Denton Road Estates, recorded in Volume 6, Page 173 of the Map Records of Dallas County, Texas.

CERTIFICATION

I, Lawrence H. Ringley, Registered Professional Land Surveyor in and for the State of Texas, hereby certify that this document was prepared under 22 TAC 663.21, does not necessarily reflect all the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared this 20th Day of February, 2013.

LAWRENCE H. RINGLEY, R.P.L.S. No. 4701

EXHIBIT A

PAGE 3 OF 3

22.797 ACRES
Part of Block 6568
DENTON ROAD ESTATES
J.B. Shade Survey, A-1390
Wm. Sprowls Survey, A-1289
City of Dallas
Dallas County, Texas

RINGLEY & ASSOCIATES, INC.
SURVEYING - MAPPING - PLANNING
701 S. Tennessee - McKinney, Texas 75069
(972) 542-1965

Drawn by	Date	Scale
Mark Steeb	02/20/13	1"=200'
Job	Title	Sheet
13009	13009-EX.DWG	3 of 3

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared M.J. LaDue, as an authorized representative of Rochester Gauges Inc, 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)

- Five checked boxes: 1. The MSD eligibility criteria of THSC Section 361.803 are satisfied. 2. 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. 3. A true and accurate copy of a legal description of the proposed MSD property is included with the application. 4. Notice has been provided in accordance with THSC 361.805. 5. 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.

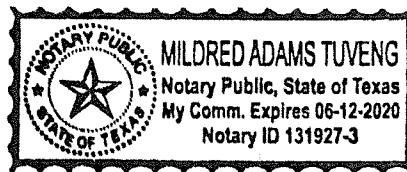
Signature: M.J. LaDue

Date: 8/5/16

Printed Name: M. J. LaDue

Title: President

Title: President



STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 5th day of August 2016, to which witness my hand and seal of office.
Mildred Adams Tuveng
Notary Public in and for the State of Texas