

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*

March 8, 2017

Mr. John Miller, Owner  
Willow Building 3800, Ltd.  
7324 Gaston Avenue, #124-311  
Dallas, Texas 75214

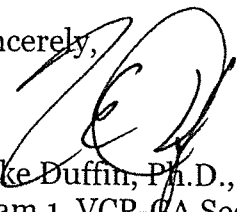
Re: Municipal Setting Designation (MSD) Certificate for John Miller, Willow Building 3800, Ltd., 3800, 3802, 3804, 3806, 3808, 3810 Willow Street, Dallas, Dallas County, TX 75226, MSD No. 342, Customer No. CN603919242, Regulated Entity No. RN106168461

Dear Mr. Miller:

The Texas Commission on Environmental Quality (TCEQ) received the above-referenced Municipal Setting Designation (MSD) application on October 17, 2016 and additional information supporting this MSD Application was received on January 23, 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 contact me at (512) 239-2378 or via e-mail ([Michael.Duffin@tceq.texas.gov](mailto:Michael.Duffin@tceq.texas.gov)).

Sincerely,



Mike Duffin, Ph.D., P.G.  
Team 1, VCP-CA Section  
Remediation Division

MED/jdm

cc: Mr. Sam Barrett, Waste Section Manager, TCEQ Region 4 Office, Dallas/Ft. Worth

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, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 342 in the City 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 March, 2017

Beth Seaton

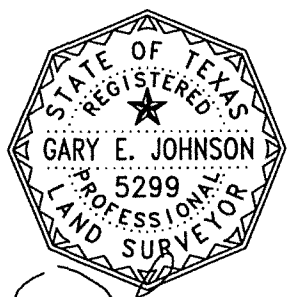
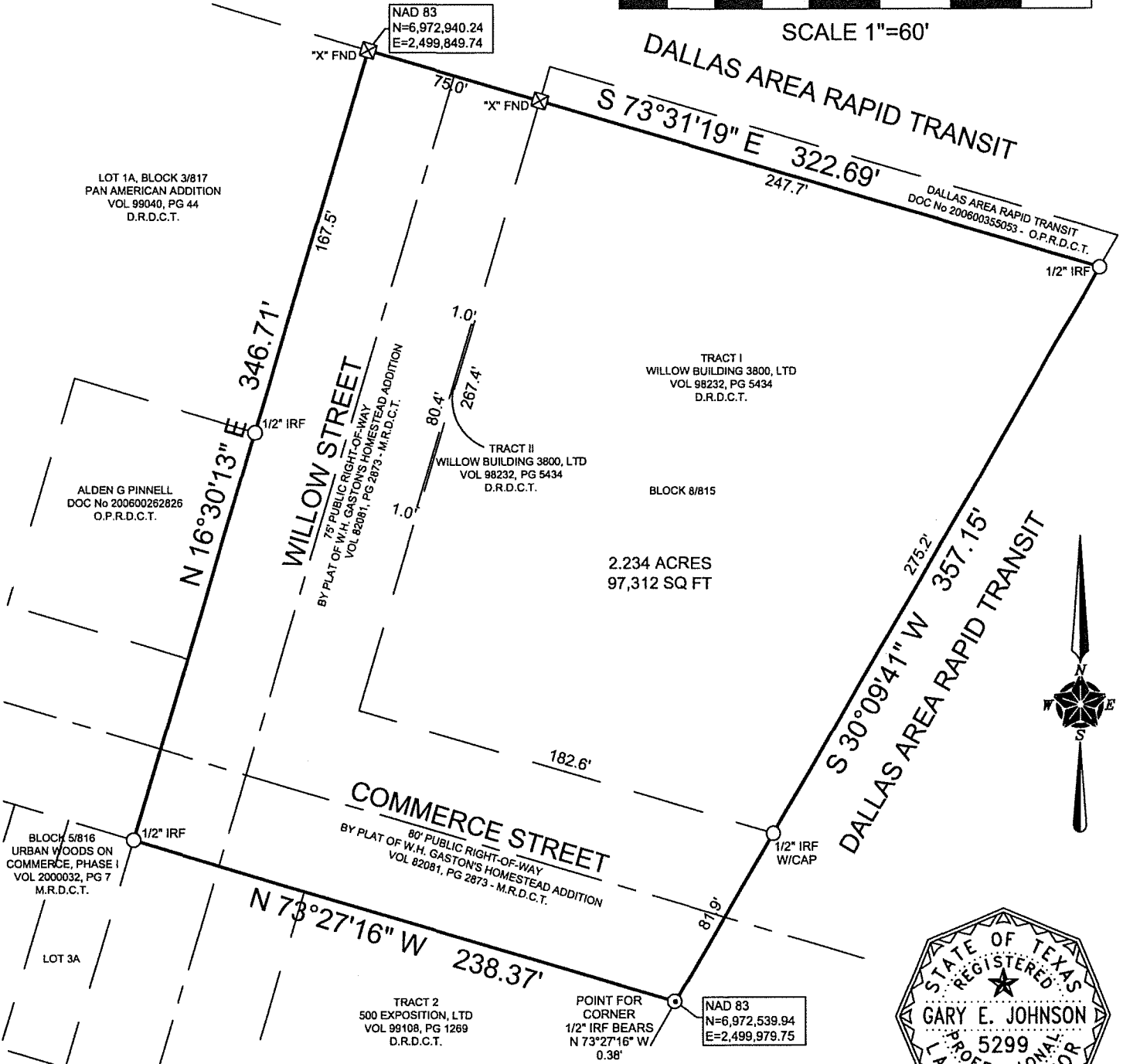
Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality

**MUNICIPAL SETTING DESIGNATION SURVEY  
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495  
CITY OF DALLAS BLOCK NO. 8/815, DALLAS COUNTY, TEXAS**

80 60 40 20 0 30 60 90 120



SCALE 1"=60'



*Gary E. Johnson*  
Gary E. Johnson, R.P.L.S.# 5299



TEXAS HERITAGE SURVEYING, INC.  
10610 Metric Drive, Suite 124, Dallas, TX 75243  
Office 214-340-9700 Fax 214-340-9710  
txheritage.com

BEARINGS ARE BASED ON NAD 83  
GIS COORDINATE SYSTEM

JOB# 1501095-1  
DATE: 04/23/15

**MUNICIPAL SETTING DESIGNATION SURVEY  
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495  
CITY OF DALLAS BLOCK NO. 8/815, DALLAS COUNTY, TEXAS**

BEING all that certain tract of parcel of land situated in the John Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas, and being all of Tracts I and II conveyed to Willow Building 3800, Ltd, as recorded in Volume 98232, Page 5434 of the Deed Records of Dallas County, Texas, and a portion of Willow Street and Commerce Street as dedicated by W.H. Gaston's Homestead Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 82081, Page 2873 of the Map Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

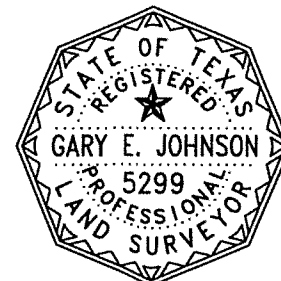
BEGINNING at a 1/2 inch iron rod found for the northeast corner of said Willow Building 3800 tract and the southeast corner of that certain tract of land conveyed to Dallas Area Rapid Transit, as recorded under Document No 200600355063 of the Official Public Records of Dallas County, Texas, said point also being in the west right-of-way line of Dallas Area Rapid Transit;

THENCE South 30 degrees 09 minutes 41 seconds West, along the east line of said Willow Building 3800 and the west line of said Dallas Area Rapid Transit, a distance of 357.15 feet to a point for the northeast corner of that certain Tract 2 to 500 Exposition, Ltd, as recorded in Volume 99108, Page 1269 of the Deed Records of Dallas County, Texas, a 1/2 inch iron rod found bears North 73 degrees 27 minutes 16 seconds West, a distance of 0.38 feet, said point also being in the south right-of-way line of said Commerce Street;

THENCE North 73 degrees 27 minutes 16 seconds West, along the south right-of-way line of said Commerce Street and the north line of said 500 Exposition tract, a distance of 238.37 feet to a 1/2 inch iron rod found for the southwest intersection of said Commerce Street and said Willow Street;

THENCE North 16 degrees 30 minutes 13 seconds East, along the west right-of-way line of said Willow Street, , a distance of 346.71 feet to an "X" found for the northwest corner of Lot 1A, Block 3/817 of Pan American Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 99040, Page 44 of the Map Records of Dallas County, Texas;

THENCE South 73 degrees 31 minutes 19 seconds East, over and across said Willow Street and along the north line of said Willow Building 3800 tract, a distance of 322.69 feet to the POINT OF BEGINNING and containing 97,312 square foot or 2.234 acre of land.



*Gary E. Johnson*  
Gary E. Johnson, R.P.L.S.# 5299



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BEARINGS ARE BASED ON NAD 83  
GIS COORDINATE SYSTEM

JOB# 1303019-1  
DATE: 09/16/13  
REV. 10/21/14  
Page 2 of 2

# Exhibit B

## Municipal Setting Designation

### Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Mr. John Miller, as an authorized representative of Willow Building 3800 Ltd., 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.

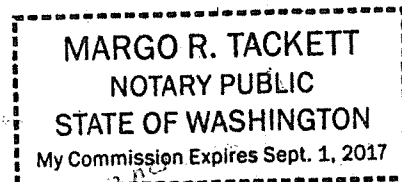
*John Miller*  
Signature

Date: August 2, 2016

Mr. John Miller  
Printed Name

President of general partner  
millennium Urban Village, Inc.  
Title

STATE OF Texas Washington  
COUNTY OF Bray Harbor



SUBSCRIBED AND SWORN before me on this the 2<sup>nd</sup> day of August 2016, to which witness my hand and seal of office.

*Margo R. Tackett*  
Margo R. Tackett  
Notary Public in and for the State of Texas Washington