

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

September 15, 2017

Mr. Samuel Satterwhite, Executive Director
Wylie Economic Development Corporation
250 South Highway 78
Wylie, Texas 75098-3906

Re: **Municipal Setting Designation (MSD) Certificate for 605 Commerce Street Site, 605 Commerce Street, Wylie, Collin County, Texas; Voluntary Cleanup Program (VCP) No. 2757; MSD No. 362; Customer No. CN603802208; Regulated Entity No. RN100608827**

Dear Mr. Satterwhite:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on April 28, 2017 and additional information supporting this MSD application on June 1, 2017, August 2, 2017, August 25, 2017 and August 31, 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) 239-2603 or via e-mail (Heather.Podlipny@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "HP", with a long, sweeping horizontal line extending to the right.

Heather Podlipny, Project Manager
VCP-CA Section
Remediation Division

HP/jdm

Enclosure: MSD Certificate

cc: **Ms. Erin Gorman, Waste Section Manger, TCEQ Dallas/Fort Worth Region Office, R-4**
Mr. Clayton Snider, P.G., W&M Environmental Group, LLC, 906 East 18th Street, Plano, Texas 75074

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):

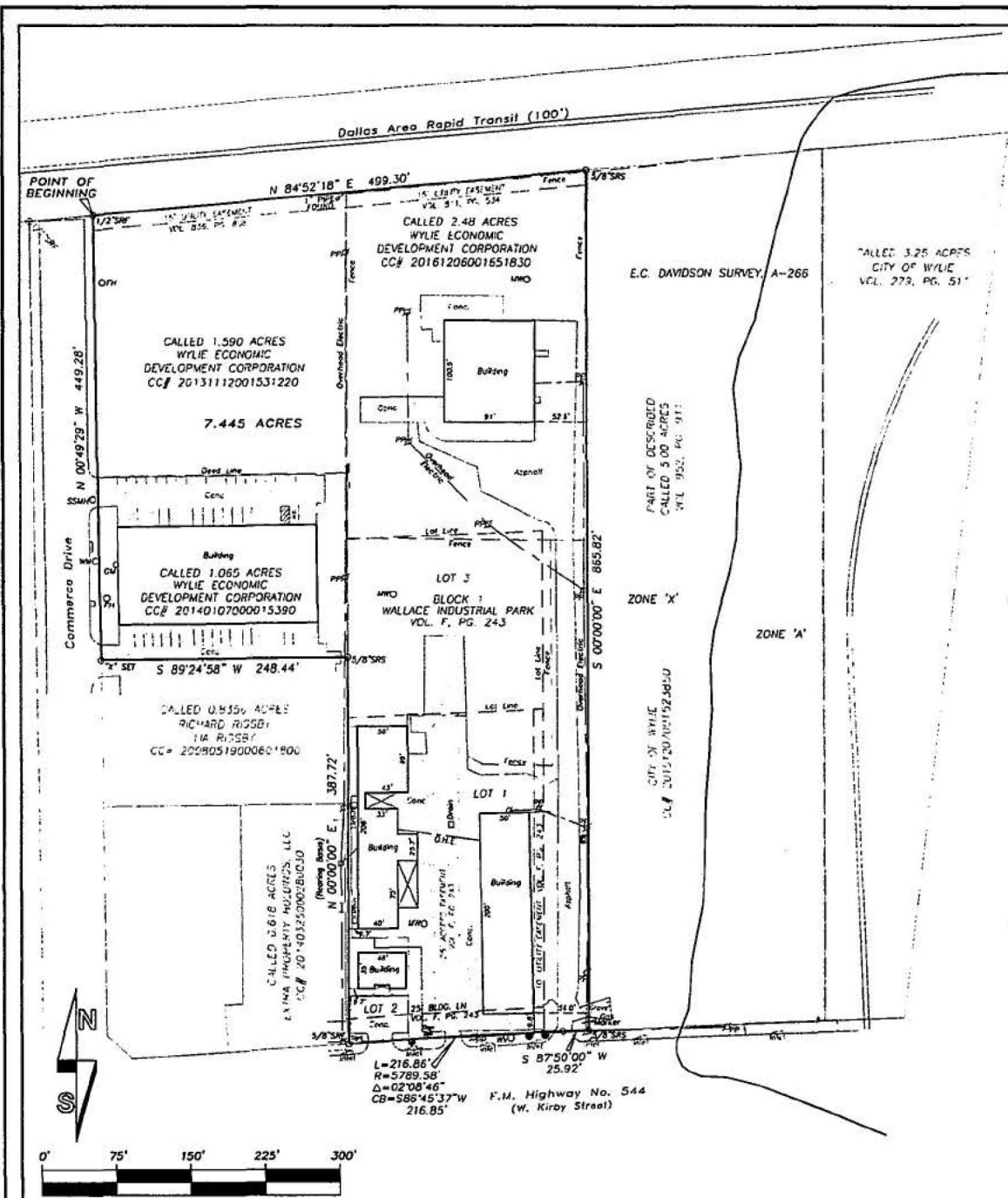
I, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 362, in the City of Wylie, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit 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 14th day of September 20 17

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality



STATE OF TEXAS
COUNTY OF COLLIN

DESCRIPTION.

BEING all that tract of land in the City of Wylie, Collin County, Texas, out of the E.C. Davidson Survey, A-266, and being all of Lots 1, 2, and 3, Block 1 of Wallace Industrial Park as recorded in Volume F, Page 243 of the Plat Records of Collin County, Texas, and being all of that called 2.48 acres of land described in a deed to Wylie Economic Development Corporation as recorded under CC# 20161206001651830 of the Official Public Records of Collin County, Texas, and being all of that called 1.590 acres of land described in a deed to Wylie Economic Development Corporation as recorded under CC# 20131112001531220 of the Official Public Records of Collin County, Texas, and being all of that called 1.065 acres of land described in a deed to Wylie Economic Development Corporation as recorded under CC# 20140107000015390 of the Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a 1/2 inch steel rod found at the intersection of the South line Dallas Area Rapid Transit 100 foot right of way with the East line of Commerce Street, and at the Northwest corner of said 1.590 acres;

THENCE North 84 degrees 52 minutes 18 seconds East, 499.30 feet along the South line of D.A.R.T. to a 5/8 inch steel rod set at the Northeast corner of said 2.48 acres, and at the Northwest corner of that tract of land in deed to the City of Wylie as recorded under CC# 20151207001523850 of the Official Public Records of Collin County, Texas, and being described as called 5.00 acres in Volume 952, Page 911 of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 00 minutes 00 seconds East, 865.82 feet to a 5/8 inch steel rod set on the North line of F.M. Highway No. 544, and at the Southeast corner of said 2.48 acres;

THENCE South 87 degrees 50 minutes 00 seconds West, 25.92 feet along the North line of said F.M. Highway No. 544 to an "X" set at point of curve;

THENCE Southwesterly, 216.86 feet along said F.M. Highway No. 544 and a curve to the left having a radius of 5789.58 feet and a central angle of 02 degrees 08 minutes 46 seconds (Chord bears South 86 degrees 45 minutes 37 seconds West, 216.85 feet) to a 5/8 inch steel rod found at the Southwest corner of said Lot 2, and at the Southwest corner of that called 0.618 acres of land described in a deed to Extra Property Holdings, LLC as recorded under CC# 20140325000280030 of the Official Public Records of Collin County, Texas;

THENCE North 00 degrees 00 minutes 00 seconds East (Bearing Basis), 387.72 feet along the West line of said Lots 1, 2, and 3 to a 5/8 inch steel rod set at the Southeast corner of said 1.065 acres;

THENCE South 89 degrees 24 minutes 58 seconds West, 248.44 feet to an "X" set on the East line of said Commerce Street, and at the Southwest corner of said 1.065 acres;

THENCE North 00 degrees 49 minutes 29 seconds West, 449.28 feet along the East line of said Commerce Street to the POINT OF BEGINNING, containing 7.445 acres of land.

SRS = STEEL ROD SET
SRS = STEEL ROD FOUND

Note: Bearings based on West line of called 2.48 acres (Vol. 4528, Pg. 1760).
Note: Verify exact location of underground utilities prior to construction.

FLOOD ZONE DEFINITIONS:
F.I.R.M. 48085C0420J, dated June 2, 2009

Zone 'A' - "Special flood hazard areas subject to inundation by the 1% annual chance flood. No base flood elevations determined."
Zone 'X' - "Areas determined to be outside the 0.2% annual chance floodplain."

The plat as shown hereon was prepared from an on-the-ground survey performed under my supervision during the month of October, 2016; the visible improvements on the ground are as shown on the survey; there are no visible intrusions, protrusions, overlapping of improvements or conflicts found except as shown on the survey plat.

October 5, 2016

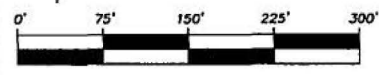


Matthew Busby
Matthew Busby
R.P.L.S. No. 5751

BOUNDARY SURVEY
7.445 ACRES
E.C. DAVIDSON SURVEY, A-266
CITY OF WYLIE
COLLIN COUNTY, TEXAS

Drawn by: mjb
B.S.I. Job# 1609-015

PAGE EXHIBIT "A" OF 2



DESCRIPTION

STATE OF TEXAS
COUNTY OF COLLIN

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Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Sam Satterwhite, as an authorized representative of Wylie Economic Development Corporation, 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)

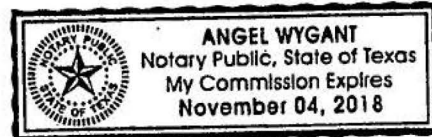
- The MSD eligibility criteria of THSC Section 361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC 361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the 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.

Sam Satterwhite
Signature

Date: 7-19-17

Sam Satterwhite
Printed Name

Executive Director
Title



STATE OF TEXAS
COUNTY OF Collin

SUBSCRIBED AND SWORN before me on this the 19th day of July 2017, to which witness my hand and seal of office.

Angel Wygant
Notary Public in and for the State of TEXAS.