

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

December 13, 2017

Mr. Aaron Sherman, Manager
Deep Ellum Hall, LLC
4145 Travis Street
Dallas, Texas 75204

Re: Municipal Setting Designation (MSD) Certificate for Deep Ellum Hall, LLC, 400 South Hall Street Site, 400 and 514 S. Hall Street and 2830 Jeffries Street, Dallas, Dallas County, TX; MSD No. 367; Customer No. CN605249762; Regulated Entity No. RN104739230

Dear Mr. Sherman:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on August 11, 2017 and additional information supporting this MSD application on November 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) 239-0053 or via e-mail (krista.brandt@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script that reads "Krista Brandt".

Krista Brandt, Project Manager
VCP-CA Section
Remediation Division

KMS/jdm

cc: Mr. Damon L. Johnson, Modern Geosciences, 5100 Thompson Terrace, Colleyville, TX 76034

Ms. Sharon Linder, PS LPT Properties Investors, c/o Public Storage, 701 Western Avenue, Glendale, CA 91201

Ms. Mary Mendoza, Haynes and Boone LLP, 600 Congress Avenue, Suite 1300, Austin, TX 78701

Ms. Erin Gorman, Waste Section Manager, TCEQ Ft. Worth/Dallas Regional Office, R-4

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. 367, 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 12th day of December, 2017

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

EXHIBIT "A"
LEGAL DESCRIPTION
MUNICIPAL SETTING DESIGNATION AREA

BEING 7.625 acres of land located in the JOHN GRIGSBY SURVEY, Abstract No. 495, Dallas, Dallas County, Texas, and being all of Lot 1A, Block 3/203, Glasfloss Addition, to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 99013, Page 26, of the Deed Records of Dallas County, Texas, and both of the tracts of land designated as Tract 1 and Tract 2, in the deed to Deep Ellum Hall, LLC, recorded in County Clerk's File No. 201600136907, of the Deed Records of Dallas County, Texas, and portions of the rights-of-way of S. Hall Street, Chestnut Street and Jeffries Street. Said 7.625 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the South corner of said Lot 1A, Block 3/203, Glasfloss Addition, and said POINT OF BEGINNING also lying in the Northwest right-of-way line of Interstate Highway No. 30, at its intersection with the Northeast right-of-way line of aforesaid Jeffries Street;

THENCE N 82° 00' 40" W 115.25 feet, along the Northwest right-of-way line of said Interstate Highway No. 30, crossing said Jeffries Street right-of-way, to a point at the Northeast corner of aforesaid Tract 2, to Deep Ellum Hall, LLC;

THENCE S 83° 21' 21" W 177.83 feet, along the Southeast boundary line of said Tract 2 and the Northwest right-of-way line of said Interstate Highway No. 30, to a point at the South corner of said Tract 2, being the South corner of Lot 7, Block 3/203, Motley's Addition, to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 106, Page 506, of the Deed Records of Dallas County, Texas;

THENCE N 45° 40' 10" W 223.65 feet, along the Southwest boundary line of said Tract 2 and the Southwest boundary line of said Lot 7, crossing the right-of-way of aforesaid S. Hall Street, to a point lying in the Northwest right-of-way line of said S. Hall Street and in the Southeast boundary line of Block 15, of Crowdus & Akard's Addition, to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 3, Page 523, of the Map Records of Dallas County, Texas;

THENCE N 44° 13' 01" E 610.48 feet, along the Northwest right-of-way line of said S. Hall Street and the Southeast boundary line of said Block 15, to a point at the intersection of the Northwesterly extension of the Northeast right-of-way line of aforesaid Chestnut Street;

THENCE S 53° 33' 49" E 495.51 feet, crossing said S. Hall Street right-of-way and running along the Northeast right-of-way line of said Chestnut Street, to a point;

THENCE S 50° 38' 29" E 229.80 feet, continuing along the Northeast right-of-way line of said Chestnut Street, to a point;

THENCE S 39° 16' 31" W 105.00 feet, crossing said Chestnut Street and running along the Southeast boundary line of aforesaid Lot 1A, Block 3/203, Glasfloss Addition, to a point at the most Easterly Southeast corner of said Lot 1A:

THENCE along the Southeast boundary line of said Lot 1A and the Northwest right-of-way line of aforesaid Interstate Highway No. 30, as follows:

1. S 83° 46' 31" W 224.00 feet, to a point;
2. N 50° 38' 29" W 28.00 feet, to a point;
3. S 39° 21' 31" W 23.00 feet, to a point;
4. S 84° 03' 31" W 111.97 feet, to a point;
5. S 74° 22' 21" W 118.95 feet, to the POINT OF BEGINNING, containing 7.625 acres of land.

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 interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

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BRITTAIN & CRAWFORD

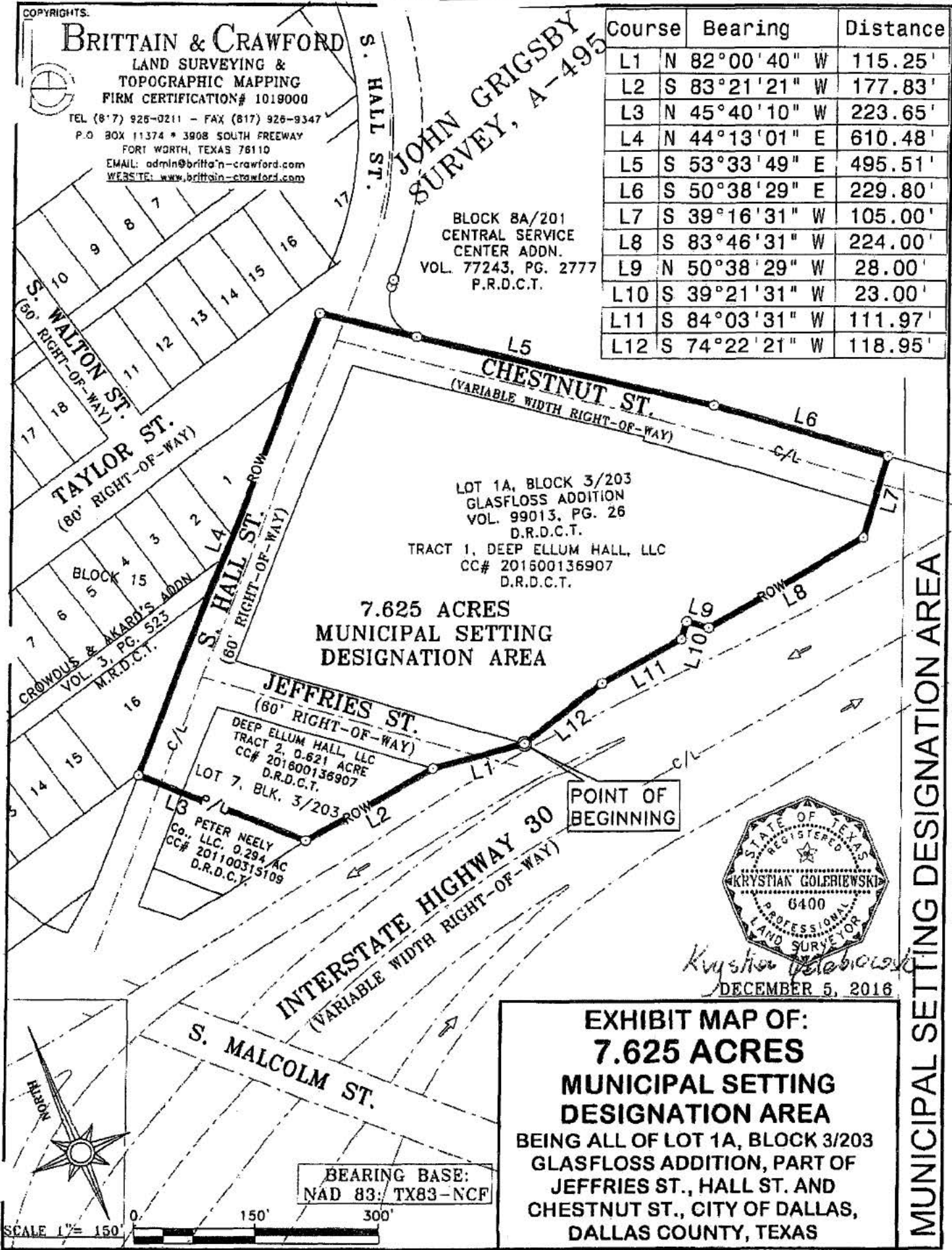
LAND SURVEYING &
TOPOGRAPHIC MAPPING
FIRM CERTIFICATION# 1019000

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P.O. BOX 11374 * 3908 SOUTH FREEWAY
FORT WORTH, TEXAS 76110
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WEBSITE: www.brittain-crawford.com

**JOHN GRIGSBY
SURVEY, A-495**

BLOCK 8A/201
CENTRAL SERVICE
CENTER ADDN.
VOL. 77243, PG. 2777
P.R.D.C.T.

Course	Bearing	Distance
L1	N 82°00'40" W	115.25'
L2	S 83°21'21" W	177.83'
L3	N 45°40'10" W	223.65'
L4	N 44°13'01" E	610.48'
L5	S 53°33'49" E	495.51'
L6	S 50°38'29" E	229.80'
L7	S 39°16'31" W	105.00'
L8	S 83°46'31" W	224.00'
L9	N 50°38'29" W	28.00'
L10	S 39°21'31" W	23.00'
L11	S 84°03'31" W	111.97'
L12	S 74°22'21" W	118.95'



**7.625 ACRES
MUNICIPAL SETTING
DESIGNATION AREA**

LOT 1A, BLOCK 3/203
GLASFLOSS ADDITION
VOL. 99013, PG. 26
D.R.D.C.T.
TRACT 1, DEEP ELLUM HALL, LLC
CC# 201600136907
D.R.D.C.T.

DEEP ELLUM HALL, LLC
TRACT 2, 0.621 ACRE
CC# 201600136907
D.R.D.C.T.

PETER NEELY
Co., LLC, 0.294 AC
CC# 201100315109
D.R.D.C.T.

**POINT OF
BEGINNING**



Krystian Golebiewski
DECEMBER 5, 2016

**EXHIBIT MAP OF:
7.625 ACRES
MUNICIPAL SETTING
DESIGNATION AREA**
BEING ALL OF LOT 1A, BLOCK 3/203
GLASFLOSS ADDITION, PART OF
JEFFRIES ST., HALL ST. AND
CHESTNUT ST., CITY OF DALLAS,
DALLAS COUNTY, TEXAS

MUNICIPAL SETTING DESIGNATION AREA

BEARING BASE:
NAD 83: TX83-NCF

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Aaron Sherman, as an authorized representative of Deep Ellum Hall, 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.

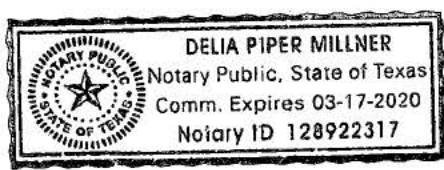
I affirmatively state that (place an X in all applicable blanks)

- 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]
Signature

Date: 8/2/17

Aaron Sherman
Printed Name
Manager
Title



STATE OF TEXAS
COUNTY OF DALLAS

SUBSCRIBED AND SWORN before me on this the 2nd day of August 2017, to which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of TEXAS