

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

November 30, 2017

Mr. Brady Blair, Senior Vice President
Flournoy Texas Holdings, LLC
P.O. Box 6566
Columbus, Georgia 31917

Re: **Municipal Setting Designation (MSD) Certificate for Beckley and Oregon Parcels Site, 1902, 1912, and 1916 N. Beckley Avenue and 119, 121, 123, 125, 129, and 211 Oregon Avenue, Dallas, Dallas County, TX; MSD No. 370; Voluntary Cleanup Program (VCP) No. 2852; Customer No. CN603478579; Regulated Entity No. RN109514216**

Dear Mr. Blair:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on September 21, 2017 and additional information supporting this MSD application on October 6, 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 MSD Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-1747 or via e-mail (anthony.mcglown@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony McGlown".

Anthony McGlown, Project Manager
VCP-CA Section
Remediation Division

ABM/ms

Enclosure: MSD Certificate

cc: Ms. Erin Gorman, Waste Section Manager, TCEQ Dallas/Fort Worth Region Office, R-4
Mr. Lance Crabtree, Terracon Consultants, Inc. (via email)
Mr. Patrick Webb, Nelson Mullins Riley & Scarborough LLP (via email)

RECEIVED
DEC 06 2017
TCEQ
CENTRAL FILE ROOM

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):

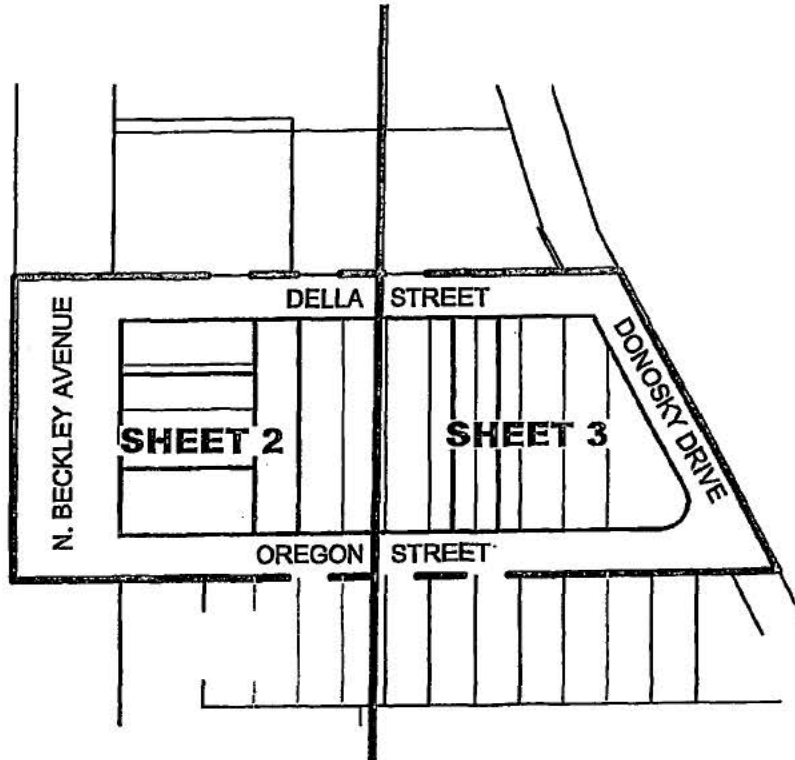
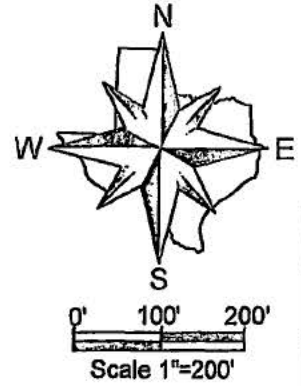
I, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 370, in the City of Dallas, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit 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 29th day of November, 2017

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality



KEY MAP

ABBREVIATION LEGEND

ABBR.	DEFINITION
CIRF	IRON ROD FOUND WITH CAP
GW	GUY WIRE
IN	INLET
IRF	IRON ROD FOUND
MP	METAL POST
MW	MONITORING WELL
NG	NATURAL GROUND
PP	POWER POLE
SN	SIGN
TC	TOP OF COLLAR
TSN	TRAFFIC SIGN
WP	WOOD POST
XCF	"X" CUT IN CONCRETE FOUND



**Winkelmann
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS & SURVEYORS
6750 HILAREST PLAZA DR., SUITE 325 (972) 450-2010
DALLAS, TEXAS 75230 (972) 450-7000 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 1006600 Expires 12/31/2016
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MSD EXHIBIT
6.064 ACRES
(264,161 SQ. FT.)

TERRACON
8901 CARPENTER FREEWAY, SUITE 100
DALLAS, TEXAS 75247

SHEET
1
OF
4

Scale : 1" = 200'

Date : 11.09.16

Dwg. File : 69144-MSD

Project No. : 69144.00

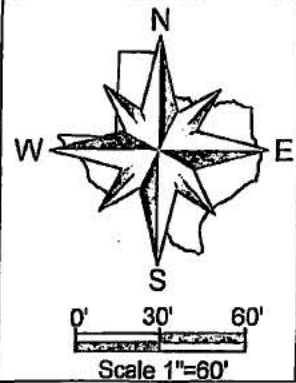
T G MILLER & COMPANY, LLC
INST. NO. 201400213255

NAD 83 (grid)
N=6,966,413.235
E=2,483,921.189

N 89°16'54" E

682.93'

DELLA STREET
(50' RIGHT-OF-WAY)



341.50'

CONCRETE
PAVEMENT

OPPP

JON ROY REID
TRACT 1
VOL. 99192, PG. 1543

JON ROY REID
TRACT 2
VOL. 99192, PG. 1543

6.064 ACRES
(264,161 SQ. FT.)

TRINITY FLOOR CO., INC.

123 EAST OREGON
JOINT VENTURE
VOL. 91085, PG. 3492

N. BECKLEY AVENUE
(120' RIGHT-OF-WAY)

TRINITY FLOOR CO.
VOL. 94170, PG. 5621

MW#7
TC-404.94'
NG-405.11'

MW#2
TC-404.27'
NG-404.38'

N 00°43'06" W

NAD 83 (grid)
N=6,966,071.762
E=2,483,925.470

CONCRETE
PAVEMENT

OREGON STREET
(50' RIGHT-OF-WAY)

864.13'

**POINT OF
BEGINNING**

ASPHALT
PAVEMENT

NEW MT. GILEAD
BAPTIST CHURCH
VOL. 95038, PG. 495

REID BUILDING OF DALLAS, LLC
INST. NO. 201600037805

S 89°16'54" W

ABBREVIATION LEGEND

ABBR.	DEFINITION
CIRP	IRON ROD POUND WITH CAP
GW	GLY WIRE
IN	INLET
IRF	IRON ROD FOUND
MP	METAL POST
MW	MONITORING WELL
NG	NATURAL GROUND
PP	POWER POLE
SN	SIGN
TC	TOP OF COLLAR
TSN	TRAFFIC SIGN
WP	WOOD POST
XCF	"X" CUT IN CONCRETE FOUND



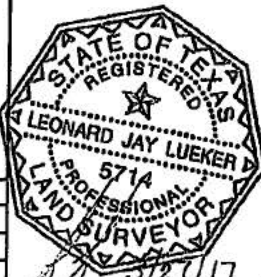
**Winkelmann
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS & SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 450-7000
DALLAS, TEXAS 75230 (972) 450-7000 FAX

Texas Engineers Registration No. 69
Texas Surveyors No. 10559500 Expires 12/31/2016
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Scale: 1" = 60'
Date: 11.09.18

Dwg. File: 89144-MSD
Project No.: 89144.00



MSD EXHIBIT
6.064 ACRES
(264,161 SQ. FT.)

TERRACON
8901 CARPENTER FREEWAY, SUITE 100
DALLAS, TEXAS 75247

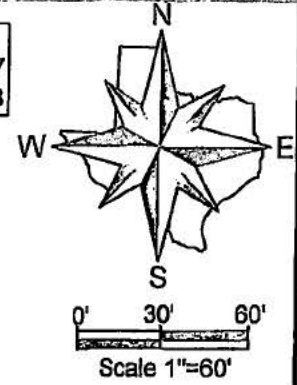
**SHEET
2
OF
4**

COUNTY OF DALLAS, TEXAS
INST. NO. 200900267690

N 89°16'54" E

1/2" IRF 682.93'

NAD 83 (grid)
N=6,966,421.797
E=2,484,604.068



DELLA STREET
(50' RIGHT-OF-WAY)

1/2" CIRF

MW#5
TC-402.28'
NG-402.23'

MW#11
TC-402.70'
NG-402.90'

MW#4
TC-403.01'
NG-403.26'

MW#1
TC-403.30'
NG-403.80'

123 EAST OREGON
JOINT VENTURE
VOL. 91085, PG. 3492

MW#10
TC-403.05'
NG-403.24'

TRINITY HARDWOOD
DISTRIBUTORS, INC.
TRACT 1
INST. NO. 200900187569

MW#9
TC-403.38'
NG-403.60'

6.064 ACRES
(264,161 SQ. FT.)

MW#8
TC-402.56'
NG-403.20'

MW#6
TC-402.35'
NG-402.70'

MW#3
TC-402.01'
NG-402.31'

GMK
PP

1/2" IRF

GW
OPP

GRAVEL ROAD

OPP

GW

PP

WP pvc

386.59'

ASPHALT
PAVEMENT

OREGON STREET

ASPHALT
PAVEMENT

CONCRETE
PAVEMENT

(50' RIGHT-OF-WAY)

1/2" IRF
bent

JON ROY REID
INST. NO. 201600211973

SPAIN STREET
(50' RIGHT-OF-WAY)

OREGON AVENUE
PROPERTIES, LLC
INST. NO. 201000278246

TRINITY HARDWOOD
DISTRIBUTORS, INC.
TRACT 2
INST. NO. 200900187569

JC GOODMAN INVESTMENT
GROUP, INC.
INST. NO. 201600071634

HENLEY-JOHNSON &
ASSOCIATES, INC.
INST. NO. 201500234228

M. JEAN MCKEMIE
INST. NO. 201000306424

NAD 83 (grid)
N=6,966,082.595
E=2,484,789.532

S 89°16'54" W



**Winkelmann
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS & SURVEYORS
6750 HILLCREST PLAZA DRIVL. SUITE 325 (972) 460-7020
DALLAS, TEXAS 75230 (972) 460-7000 FAX

Texas Engineers Registration No. 03
Texas Surveyors No. 1065550 Expires 12/31/2016
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Scale: 1" = 60'
Date: 11.09.16

Dwg. File: 69144-MSD
Project No.: 69144.00



MSD EXHIBIT
6.064 ACRES
(264,161 SQ. FT.)

TERRACON
8901 CARPENTER FREEWAY, SUITE 100
DALLAS, TEXAS 75247

SHEET
3
OF
4

MSD DESCRIPTION

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING a tract of land situated in the P. HAUGHT SURVEY, ABSTRACT NO. 607, in the City of Dallas, Dallas County, Texas, and being a portion of the right-of-way of N. Beckley Avenue (120-foot right-of-way), a portion of the right-of-way of Della Street (50-foot right-of-way), a portion of the right-of-way of Oregon Street (50-foot right-of-way), a portion of the right-of-way of Donosky Drive (50-foot right-of-way), all of two tracts of land as described in deed to Jon Roy Reid (Tracts 1 and 2), recorded in Volume 99192, Page 1543, Deed Records, Dallas County, Texas, all of a tract of land as described in deed to Trinity Floor Co., recorded in Volume 94170, Page 5621, Deed Records, Dallas County, Texas, all of a tract of land owned by Trinity Floor Co., Inc., all of a tract of land as described in deed to 123 East Oregon Joint Venture, recorded in Volume 91085, Page 3492, Deed Records, Dallas County, Texas, all of a tract of land owned by Joe H. Gvirtz and all of a tract of land as described in deed to Trinity Hardwood Distributors, Inc. (Tract 1), recorded in County Clerk's Instrument No. 200900187569, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point for corner, said point being the intersection of the projection of the south right-of-way of said Oregon Street with the west right-of-way of said N. Beckley Avenue (NAD 83 (grid) N=6,966,071.762, E=2,483,925.470);

THENCE North 00 deg 43 min 06 sec West, along the west right-of-way of said N. Beckley Avenue, a distance of 341.50 feet to a point for corner, said point being the intersection of the projection of the north right-of-way of said Della Street with the west right-of-way of said N. Beckley Avenue (NAD 83 (grid) N=6,966,413.235, E=2,483,921.189);

THENCE North 89 deg 16 min 54 sec East, departing said west right-of-way, over and across the right-of-way of said N. Beckley Avenue, along the north right-of-way of said Della Street and over and across said Donosky Drive, a distance of 682.93 feet to a point for corner, said point being the intersection of the projection of the north right-of-way of said Della Street with the east right-of-way of said Donosky Drive (NAD 83 (grid) N=6,966,421.797, E=2,484,604.068);

THENCE South 28 deg 40 min 06 sec East, along said east right-of-way, a distance of 386.59 feet to a point for corner, said point being the intersection of the east right-of-way of said Donosky Drive with the projection of the south right-of-way of said Oregon Street (NAD 83 (grid) N=6,966,082.595, E=2,484,789.532);

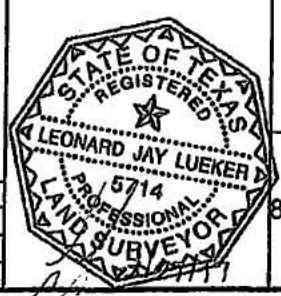
THENCE South 89 deg 16 min 54 sec West, over and across the right-of-way of said Donosky Drive, the south right-of-way of said Oregon Street and over and across the right-of-way of said N. Beckley Avenue, a distance of 864.13 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 6.064 acres or 264,161 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 24th day of October, 2016, utilizing a G.P.S. measurement (NAD 83) from the City of Dallas Monument Nos. 1459 and 1461.

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 BELACREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75226
(972) 410-7000 (972) 410-7000 FAX
Texas Engineers Registration No. 03
Texas Surveyors No. 10056500 Expires 12/31/2016
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Scale: N/A
Date: 11.09.16
Dwg. File: 69144-MSD
Project No.: 69144.00



MSD EXHIBIT
6.064 ACRES
(264,161 SQ. FT.)

TERRACON
8901 CARPENTER FREEWAY, SUITE 100
DALLAS, TEXAS 75247

SHEET
4
OF
4

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Brady Blair, as an authorized representative of Flournoy Texas Holdings, 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.

Brady Blair
Signature

Date: 9/18/17

Brady Blair
Printed Name

Sr. Vice President
Title

STATE OF Georgia
COUNTY OF Muscogee

SUBSCRIBED AND SWORN before me on this the 18th day of September 2017, to which witness my hand and seal of office.

Rebecca Lamb
Notary Public in and for the State of Georgia

