

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

January 29, 2018

Mr. Matthew Malouf, Manager
Live Oak Texas Partners, LLC.
3811 Turtle Creek Blvd.
Dallas, Texas 75219

Re: Municipal Setting Designation (MSD) Certificate for Live Oak Texas Partners, LLC., Live Oak Property, 2720 Live Oak Street, Dallas, Dallas County, TX; MSD No. 378; Customer No. CN605136282; Regulated Entity No. RN109186684

Dear Mr. Malouf:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on December 8, 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) 239-1107 or via e-mail (kirk.coulter@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "K. Coulter".

Kirk Coulter, P.G., Project Manager
VCP-CA Section
Remediation Division

KEC/jdm

**cc: Mr. Sam Barrett, Waste Section Manager, TCEQ Region 4 Office, Ft. Worth/
Dallas**
**Mr. Kenneth Tramm, Modern Geosciences, 5100 Thompson Terrace, Colleyville,
TX 76034**

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. 378, 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 25th day of January 2018

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

EXHIBIT "A"
LEGAL DESCRIPTION
MUNICIPAL SETTING DESIGNATION AREA

BEING 1.259 acres of land located in the JOHN GRIGSBY SURVEY, Abstract No. 495, City of Dallas, Dallas County, Texas, and being all of Lot 1, Block 2/324, Magdalena Boll's Addition, to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 2004196, Page 1, of the Deed Records of Dallas County, Texas, along with the right-of-way areas adjoining said Lot 1, for Live Oak Street (a 70 foot wide public right-of-way), Texas Street (a 50 foot wide public right-of-way) and Union Alley (a 20 foot wide public right-of-way). Said 1.259 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the West corner of said Lot 1, Block 2/324, Magdalena Boll's Addition, and said POINT OF BEGINNING also lying in the Southeast right-of-way line of aforesaid Live Oak Street;

THENCE N 45° 37' 31" W 70.00 feet, crossing the Live Oak Street right-of-way, to a point in the Northwest right-of-way line of said Live Oak Street;

THENCE N 44° 31' 55" E 200.00 feet, along the Northwest right-of-way line of said Live Oak Street, to a point in the Northwesterly projection of the Northeast right-of-way line of aforesaid Texas Street;

THENCE S 45° 37' 31" E 273.94 feet, along the Northeast right-of-way line of said Texas Street, to a point in the Northeasterly projection of the Southeast right-of-way line of the aforesaid Union Alley;

THENCE S 44° 22' 28" W crossing said Texas Street right-of-way area, at 50.00 feet, passing a point in the Southwest right-of-way line of said Texas Street, and in all 200.00 feet, along the Southeast boundary line of said Union Alley, to a point;

THENCE N 45° 37' 31" W 204.49 feet, crossing the right-of-way area for said Union Alley, and running along the Southwest boundary line of said Lot 1, Block 2/324, Magdalena Boll's Addition, to the POINT OF BEGINNING, containing 1.259 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.



AUGUST 17, 2016

JOHN GRIGSBY SURVEY
ABSTRACT No. 495

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BRITAIN & CRAWFORD
LAND SURVEYING &
TOPOGRAPHIC MAPPING
FIRM CERTIFICATION# 1019000
TEL (817) 926-0211 - FAX (817) 926-9347
P.O. BOX 11374 * 3908 SOUTH FREEWAY
FORT WORTH, TEXAS 76110
EMAIL: admin@brittain-crawford.com
WEBSITE: www.brittain-crawford.com

LOT 3A, BLOCK 1/496
MEADOWS FOUNDATION 2ND INST
VOLUNTEER CENTER OF DALLAS
VOL. 2000224, PG. 0826
D.R.D.C.T.

1.259 ACRES
MUNICIPAL SETTING
DESIGNATION AREA

LOT 1
BLOCK 2/324
MAGDALENA BOLL'S ADDITION
VOL. 2004196, PG. 1
D.R.D.C.T.
LIVE OAK TEXAS PARTNERS LLC
CC# 201200091263
D.R.D.C.T.

POINT OF BEGINNING

MINERVA PARTNERS LTD
BLOCK 289
N 44°31'55"E
200.00'

LIVE OAK STREET
(70' WIDE RIGHT-OF-WAY)
137.50'

S 45°37'31"E 273.94'
TEXAS STREET
(50' WIDE RIGHT-OF-WAY)
170.94'

N 45°37'31"W 204.49'
UNION ALLEY I LIMITED
PARTNERSHIP
VOL. 97234, PG. 2749
D.R.D.C.T.

UNION ALLEY
(20' WIDE)
S 44°22'28"W 200.00'
HOPE COTTAGE INC
201400205605
D.R.D.C.T.
CC#

BLOCK 2/324
UNION ALLEY I LIMITED
PARTNERSHIP
VOL. 97150, PG. 1759
D.R.D.C.T.

LOT 5
FLORENCE STREET LOFTS
V. 2003090, PG. 6
UNION ALLEY I LIMITED
PARTNERSHIP



Krystian Golebiewski
AUGUST 15, 2016



CANTEGRAL ST.

BEARING BASE:
NAD 83: TX83-NCF

EXHIBIT MAP OF:
1.259 ACRES
MUNICIPAL SETTING
DESIGNATION AREA
BEING ALL OF
LOT 1, BLOCK 2/324
MAGDALENA BOLL'S ADDITION, CITY
OF DALLAS, DALLAS COUNTY, TEXAS

MISC.Co.#

MUNICIPAL SETTING DESIGNATION AREA

Exhibit B

Municipal Setting Designation

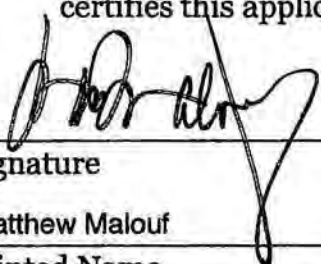
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Matthew Malouf, as an authorized representative of Live Oak Texas Partners, 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.

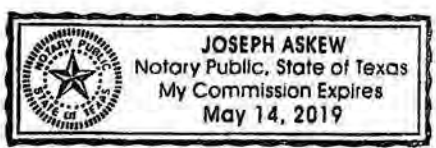
I affirmatively state that (place an X in all applicable blanks)

- 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.



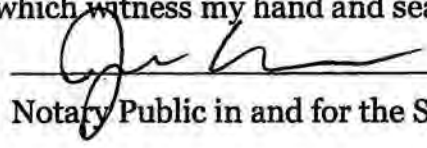
Date: 12/4/17

Signature
Matthew Malouf
Printed Name
Manager
Title



STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 4 day of December 2017, to which witness my hand and seal of office.


Notary Public in and for the State of Texas