

# Texas Commission on Environmental Quality



## Municipal Setting Designation

As provided for in §361.807, Subchapter W, Texas Health and Safety Code (Solid Waste Disposal Act):

I, Glenn Shankle, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for MSD No. 58, in the City of Fort Worth, 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 institutional control required by Texas Health and Safety Code §361.8065 is maintained 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 29th day of MAY, 2008

A handwritten signature in black ink, appearing to read "Glenn Shankle", written over a horizontal line.

Glenn Shankle  
Executive Director  
Texas Commission on Environmental Quality



**FLOOD NOTE:** According to the Federal Emergency Management Agency's Flood Insurance Rate Map Number 48139C0390 J (revised August 23, 2000), the tract described hereon does not appear to be within Flood Zone AE (special flood hazard areas inundated by 100-year flood, base flood elevation determined). Said tract does appear to be within Zone X-unshaded (areas determined to be outside 500-year floodplain). This information is only our opinion based on our previous efforts of scaling data from the above mentioned FEMA Map in relation to the location of said tract and is not based on a flood study performed by Moak Surveyors, Inc.

**Field Note Description**

ALL that certain tract or parcel of land situated in the ADOLPHUS F. GOUGHENANT SURVEY, ABSTRACT NO. 582, in the City of Fort Worth, Tarrant County, Texas and being Lots 1 thru 13 and Lots 16 thru 48, Block 10, North Fort Worth, an Addition to the City of Fort Worth, Tarrant County, Texas according to the plat recorded in Volume 63, Page 149, Plat Records, Tarrant County, Texas (also known as 'The Union Land Company's Industrial Addition') and including an alley vacated by City Ordinance No. 673 as recorded in Volume 2018, Page 320, Deed Records, Tarrant County, Texas, also being those same tracts of land described in the deeds to Drake Realty Group, Inc. as recorded in Document No. D720168029 and Document No. D720164831, Deed Records, Tarrant County, Texas and being more particularly described by angles and bearings as follows:

BEGINNING at a "Y" cut found in concrete for the most southerly corner of Lot 1 of said Block 10, said "Y" being the intersection of the northwesterly right-of-way line of North Fourth Street (a 60 foot public right-of-way) and the northeasterly right-of-way line of North Main Street (a 100 foot public right-of-way);

THENCE North 30 degrees 00 minutes 00 seconds West (based on various City records - original plat contains no bearings) with the southwesterly boundary line of said Block 10 and with said northeasterly right-of-way line a distance of 325.00 feet to a 1/2 inch capped steel rod stamped "FULTON SURVEYING" found for the most westerly corner of Lot 13 of said Block 10;

THENCE North 60 degrees 00 minutes 00 seconds East, traversing said Block 10 a distance of 200.00 feet to a 1/2 inch steel rod found for the most northerly corner of Lot 36 of said Block 10, said rod being in the southwesterly right-of-way line of Commerce Street (a 70 foot public right-of-way);

THENCE South 38 degrees 00 minutes 00 seconds East with the northeasterly boundary line of said Block 10 and with said southwesterly right-of-way line a distance of 325.00 feet to a 1/2 inch steel rod found for the most easterly corner of Lot 48 of said Block 10, said rod being the intersection of said southwesterly right-of-way line and said northwesterly right-of-way line;

THENCE South 60 degrees 00 minutes 00 seconds West with the southeasterly boundary line of said Block 10 and with said northwesterly right-of-way line a distance of 290.00 feet to the PLACE OF BEGINNING and containing 1.492 acres of land, more or less. This field note description is based on the Land Title Survey and plat made by Jason B. Rawlings, R.P.L.S. No. 5465 on February 2, 2007.

A Land Title Survey of  
**1.492 ACRES OF LAND**  
 OUT OF THE  
**ADOLPHUS F. GOUGHENANT SURVEY, ABSTRACT NO 582**  
 SITUATED IN THE CITY OF  
**FORT WORTH, TARRANT COUNTY, TEXAS**  
 (SEE FIELD NOTE DESCRIPTION)

This is to certify that I have, on this date, made a careful and accurate survey on the ground of the tract located at 500 North Main Street in the City of Fort Worth, Texas and described by metes and bounds hereon and that this plat is an accurate representation of an actual survey made on the ground under my supervision and the boundary lines, corners and dimensions shown are as indicated; the size, type and location of buildings and improvements shown are as indicated; said improvements are within the boundaries of said tract, except as shown, and set back from the boundary lines the distances indicated; there is apparent and visible access to North Main Street; there are no apparent encroachments, protrusions, boundary line conflicts, visible easements or encumbrances of record as furnished to me, except as shown or noted otherwise. This survey substantially complies with the current Texas Society of Professional Surveyors Standard and Specifications for a Category 1A Condition II Survey.

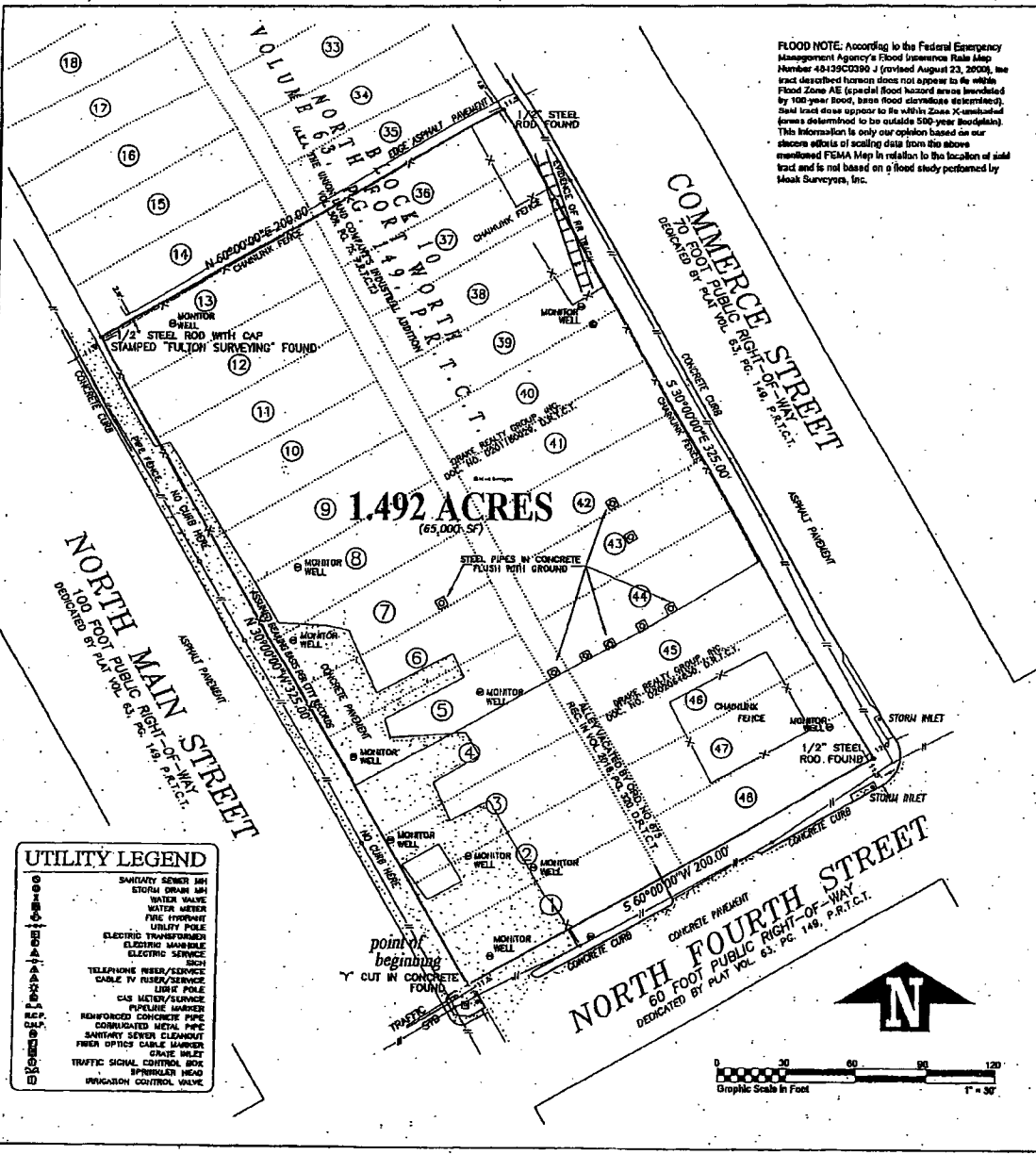
*J. B. Rawlings*  
 Jason B. Rawlings, R.P.L.S. No. 5655

Scale 1" = 30'

- LEGEND**
- FOUND STEEL ROD
  - SET CAPPED STEEL ROD
  - ⊕ CROSS CUT IN CONCRETE
  - ⊖ FOUND STEEL PIPE
  - ⊙ FOUND BISMUTH STAKE
  - OVERHEAD UTILITY LINE
  - CENTERLINE FENCE

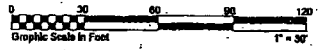
**Moak Surveyors, Inc.**  
 LICENSED STATE AND REGISTERED  
 PROFESSIONAL LAND SURVEYORS  
 TEXAS - MEMBER STATE SOCIETY OF PROFESSIONAL SURVEYORS  
 1185 Chuck Spaulding Boulevard, Fort Worth, Texas 76104  
 Metro 817-746-2111 • Fax 817-742-0481  
 www.moaksurveyors.com  
 Date February 1, 2007 Job # 07-017

COORDINATE FILE: 04-141



**UTILITY LEGEND**

⊕	SANITARY SEWER SH
⊖	STORM SEWER SH
—	WATER MAIN
—	WATER METER
—	FIRE HYDRANT
—	UTILITY POLE
—	ELECTRIC TRANSMISSION
—	ELECTRIC MANSOLE
—	ELECTRIC SERVICE
—	TELEPHONE WIRE/SERVICE
—	CABLE TV WIRE/SERVICE
—	LIQUID PIPE
—	CAS METER/SERVICE
—	PURLINE MANHOLE
—	REINFORCED CONCRETE PIPE
—	CONCRETE METAL PIPE
—	SANITARY SEWER CLEANOUT
—	FIBER OPTICS CABLE MANHOLE
—	GRADE INLET
—	TRAFFIC SIGNAL CONTROL BOX
—	SPRINGHEAD HEAD
—	IRRIGATION CONTROL VALVE



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 Copies of this plat may be made for personal use and not for other  
 and no liability shall be assumed for errors or omissions in the  
 absence of a written survey or other written instrument.

A



'B'

c) each retail public utility, as defined by Texas Water Code, §13.002, that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>3</sup>	<input type="radio"/> NA <sup>4</sup>
<sup>3</sup> Do not submit application.			
<sup>4</sup> NA only when no such municipality, private well owner, or retail public utility exists			

MSD Information:

List all existing TCEQ and US Environmental Protection Agency registration, permit, identification numbers (e.g., SWR No., VCP No., LPST ID No., UIC Registration No., PWS ID. No.), if any, that apply to the groundwater contamination situation within the proposed MSD boundary. State "none" if none applicable.  
VCP ID No. 1963, Closed LPST ID No. 113594

Is the proposed designated groundwater contaminated in excess of an applicable potable water <sup>5</sup> use standard (i.e., 30 TAC 350, <sup>GW</sup> GW <sub>ing</sub> )?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>6</sup>
Was the groundwater contamination previously reported to the TCEQ? (To support implementation of HB 3030, 78 <sup>th</sup> Legislature.)	<input checked="" type="radio"/> Yes, when? 11 / 23 / 98	<input type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses the designated groundwater as source water?	<input type="radio"/> Yes <sup>6</sup>	<input checked="" type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses a deeper groundwater zone for the source water that is not properly sealed off from the designated groundwater?	<input type="radio"/> Yes <sup>6</sup>	<input checked="" type="radio"/> No
Is the applicant aware of any non-consumptive use of the groundwater or other human health or ecological exposure pathways that are of concern? If yes, specify:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has each municipality and retail public utility identified in §361.8065 provided firm commitment to adopt an ordinance or resolution in support of the application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>6</sup>
Is a copy of the ordinance or restrictive covenant that restricts consumptive use and appropriately restricts other uses of and contact with the designated groundwater, and any required resolutions provided with this application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No

<sup>5</sup> "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)].

<sup>6</sup> Do not submit an application.

- I affirmatively state that (place an X in all applicable blanks):
- The MSD eligibility criteria of THSC §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 was 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.

Verick Vamecon Applicant Signature      10/11/07 Date

Before me Daisy K. Wolfe the undersigned authority, on this day personally appeared Derrick Dameron and signed this Municipal Setting Designation Application.

Name of Notary  
Name of Applicant

Sworn, subscribed and signed before me in the County of Tarrant, State of TX, on the 11<sup>th</sup> day of October, 2007.

