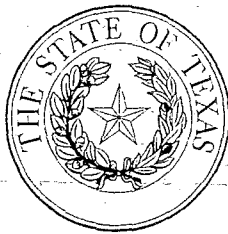


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MUNICIPAL SETTING DESIGNATION CERTIFICATE

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

I, Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for MSD No. 109, in the City of Denton, 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 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 the 2nd day of November, 2009

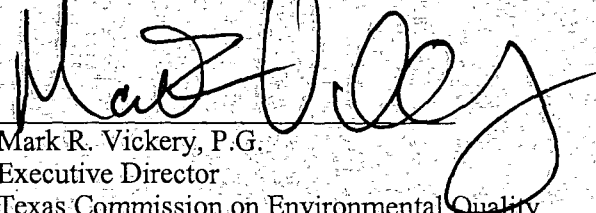

Mark R. Vickery, P.G.
Executive Director
Texas Commission on Environmental Quality

Exhibit "A"

LEGAL DESCRIPTION OF SUBJECT TRACT

STATE OF TEXAS
COUNTY OF DENTON

WHEREAS Jack Bell Construction Co., Inc. is the owner of all that certain tract or parcel of land situated in the William Loving Survey Abstract #759, Denton County, Texas, said tract being part of Lot 1 Block 1 Victoria Square, an addition to the City of Denton, Denton County, Texas, as evidenced by the plat recorded thereof in Cabinet E, Page 240, P.R.D.C.T., and being more fully described as follows:

COMMENCING at a ½ inch CIRF at the Northwest corner of said Victoria Square Addition, said point also being on the East right-of-way line of South Locust Street;

THENCE: South 89 degrees 36 minutes 10 seconds East a distance of 252.99 feet to a ½ inch CIRF at the Northeast corner of said Victoria Square Addition, said point also being on the West right-of-way line of Wainwright Street;

THENCE: South 00 degrees 02 minutes 50 seconds West, with the West right-of-way line of Wainwright a distance of 150.00 feet to a set ½ inch Steel Square Tubing with a plastic cap marked Cox 4577 for corner;

THENCE: North 89 degrees 41 minutes 17 seconds West a distance of 105.60 feet to an X-cut in concrete found for corner for the PLACE OF BEGINNING;

THENCE: South 00 degrees 06 minutes 35 seconds West a distance of 99.83 feet to a ½ inch square tube found for corner;

THENCE: South 89 degrees 36 minutes 09 seconds East a distance of 49.92 feet to a set ½ inch Steel Square Tubing with a plastic cap marked Cox 4577 for corner;

THENCE: South 00 degrees 02 minutes 50 seconds West a distance of 100.00 feet to a set ½ inch Steel Square Tubing with a plastic cap marked Cox 4577 at the Southeast corner of said Victoria Square Addition, said point also being on the North right-of-way line of East Prairie Street;

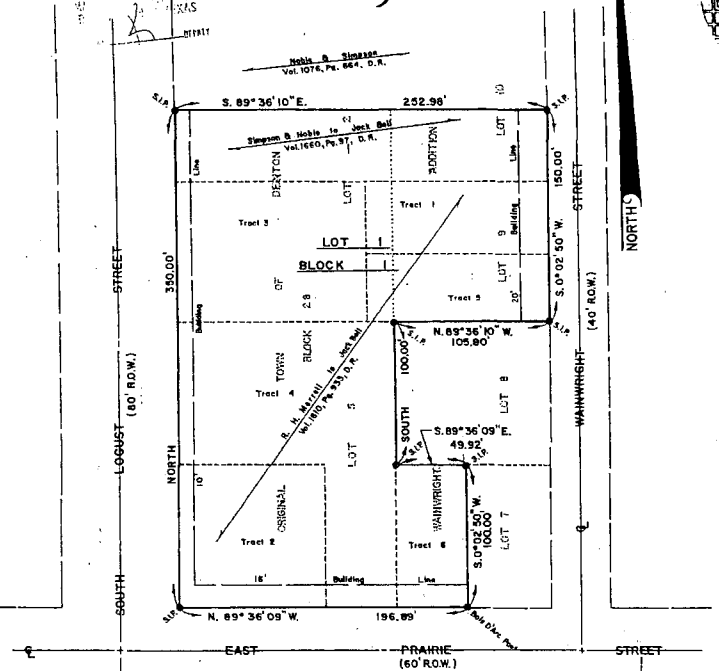
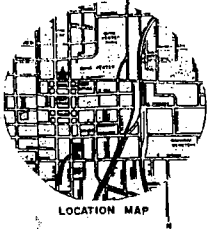
THENCE: North 89 degrees 36 minutes 09 seconds West with the North right-of-way line of East Prairie Street a distance of 196.89 feet to a set ½ inch Steel Square Tubing with a plastic cap marked Cox 4577 at the Southwest corner of said Victoria Square Addition, said point also being at the intersection of the North right-of-way line of East Prairie Street and the East right-of-way line of Locust Street;

THENCE: North 00 degrees 00 minutes 13 seconds West with the East right-of-way line of Locust Street a distance of 199.99 feet to a point;

THENCE: South 89 degrees 32 minutes 29 seconds East, crossing said Victoria Square Addition, a distance of 147.25 feet to the POINT OF BEGINNING, and containing 0.79 acres of land.

116
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 TEXAS

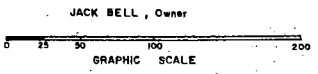
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FINAL REPLAT

VICTORIA SQUARE
 LOT 1; BLOCK I

BEING A REPLAT OF PART OF LOT 7, LOT 9 & PART OF LOT 10, WANNWRIGHT ADDITION, AND PART OF LOT 2 AND ALL OF LOT 5, BLOCK 28, OF THE ORIGINAL TOWN OF DENTON, BEING 1.661 ACRES IN THE WILLIAM LOVING SURVEY, A-759, DENTON COUNTY, TEXAS.



DEDICATION

STATE OF TEXAS
 COUNTY OF DENTON

WHEREAS, J. Jack Bell, as the owner of a tract of land in the City of Denton, and in the William Loving Survey, Abstract Number 759, Denton County, Texas, and being all of Tracts 1 through 6 described in a deed to Jack Bell, recorded in Volume 1610, page 933, Deed Records of said County, and being all of a tract described in a deed to Jack Bell, recorded in Volume 1660, page 97, Deed Records of said County and being more particularly described as follows:

Beginning at a steel pin at the intersection of the north right-of-way of East Prairie Street with the east right-of-way of South Locust Street, said steel pin also being the southwest corner of said Tract 2, recorded in Volume 1610, page 933, Deed Records:

Thence North with the east right-of-way of said Locust Street a distance of 350.0 feet to a steel pin at the northwest corner of said tract, recorded in Volume 1660, page 97, Deed Records:

Thence South 89 degrees 36 minutes 10 seconds East a distance of 252.98 feet to a steel pin on the west-right-of-way of Wannwright Street also being the northeast corner of said tract, recorded in Volume 1660, page 97, deed Records:

Thence South 00 degrees 02 minutes 50 seconds West with the west right-of-way of said Wannwright Street a distance of 150.0 feet to a steel pin for corner:

Thence North 89 degrees 36 minutes 10 seconds West a distance of 105.80 feet to a steel pin for corner:

Thence South a distance of 100.0 feet to a steel pin for corner:

Thence South 89 degrees 36 minutes 09 seconds East a distance of 49.92 feet to a steel pin for corner:

Thence South 00 degrees 02 minutes 50 seconds West a distance of 100.0 feet to a bolt-and-arc post on the north right-of-way of said East Prairie Street:

Thence North 89 degrees 36 minutes 09 seconds West with the north right-of-way of said Prairie Street a distance of 196.89 feet to the Point of Beginning containing in all 1.661 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, J. Jack Bell, do hereby adopt this plat designating the herein described property as Lot 1, Block I, Victoria Square to the City of Denton, Denton County, Texas, and do hereby dedicate to the public use forever the streets and easements shown thereon.

J. Jack Bell
 Jack Bell

STATE OF TEXAS

Before me, the undersigned Notary Public for the State of Texas on this day personally appeared Jack Bell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity stated.

Given under my hand and seal of office this the 17th day of July, 1985.

James H. Hauptmann
 Notary Public—State of Texas
 Commission expires: 9/20/88

SURVEYOR'S CERTIFICATE

KNOW THESE MEN BY THESE PRESENTS:

That I, Stanford Hauptmann, Registered Public Surveyor, do hereby certify that I prepared this plat and description from an actual and accurate survey of the land and that the iron pins shown thereon were placed under my personal supervision in accordance with the law.

17 July 85

Stanford Hauptmann
 Stanford Hauptmann
 Texas Registered Public Surveyor Number 2255



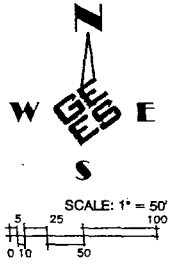
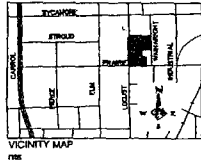
CERTIFICATE OF APPROVAL

Approved this 22 day of August, A.D. 1985
 by the Commission of the State of Texas
Richard C. Johnson
 Secretary of State
Charlotte Allen
 Executive Secretary

NO.	DATE	DESCRIPTION	APPROV.
REVISIONS			
VICTORIA SQUARE			
SCALE: 1"=50'	DATE: 7-17-85	Drawn by: M. R.	
FIELDS, EDWARDS & ASSOCIATES, INC.			
ENGINEERS & SURVEYORS			
1123 FORT WORTH DRIVE DENTON, TEXAS 76208			
(817) 383-1418	METRO 430-1881	258 P.O.	P-7145

- FROM R 33199
- R 28763
- R 28775
- R 28794
- R 33195
- R 33201
- R 33224
- R 76382 (or)
- R 76383 (or)

Denton County, Texas



LEGEND

- 80" = HIGH ROAD FINISH
- RS/CAP = IRON ROD SET W/CAP
- FB = FENCE BORDER POST
- B.L. = BUILDING LINE
- U.E. = UTILITY EASEMENT
- S.E. = SEWER EASEMENT
- COMM. ESM. = COMMUNICATION EASEMENT
- POB = POINT OF BEGINNING
- PL. = POINT OF LOT CALL
- APC = A PART OF
- S/S = SANITARY SEWER
- P.O.E. = PUBLIC OPEN SPACE ESM.
- C. = CENTRAL CONTROL

Being an Amending Final Plat of Lot 1, Block 1
 Victoria Square
 CAB E, PG 240
 WILLIAM LOVING SY. A-759
 City and County of
 Denton, Texas

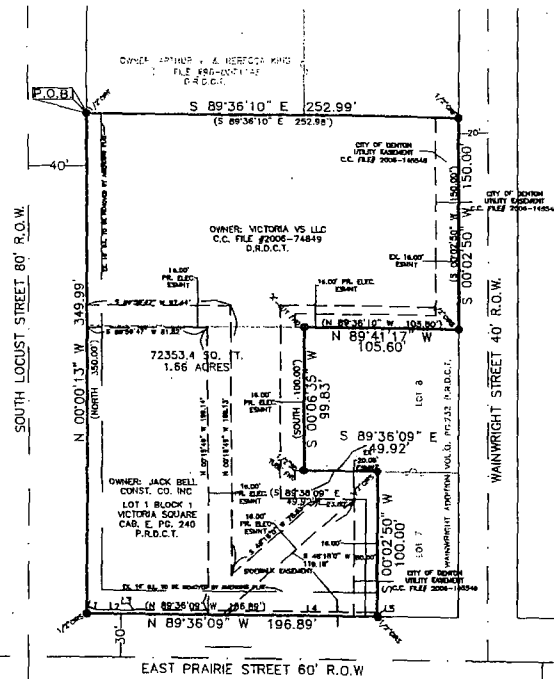
OWNER:
 Jack Bell Const. Co. Inc.
 Victoria Vs. Llc.

CERTIFICATE OF APPROVAL

APPROVED THIS 7 DAY OF Oct A.D. 2008, BY
 THE DEVELOPMENT AND REVIEW COMMITTEE OF THE
 CITY OF DENTON, TEXAS

Christina Jenkins
 CHAIRMAN
 DEVELOPMENT AND REVIEW COMMITTEE

Janet Walters
 CITY SECRETARY
 CITY OF DENTON, TEXAS



SIDEWALK EASEMENT

LINE	BEARING	DISTANCE
L1	N 74°46'23" W	2.63'
L2	N 89°36'09" W	24.63'
L3	S 09°23'51" W	0.50'
L4	N 89°36'09" W	185.51'
L5	N 00°02'50" E	3.00'

NOTE:

- THE PURPOSE OF THIS AMENDING FINAL PLAT IS TO REMOVE BUILDING LINES
- NO GAS OR PETROLEUM OR PIPELINE EASEMENTS WERE FOUND ON THE PROPERTY.
- THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE "CODE"). THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTER LINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.

SD05304 401, 505, 505
 117276 VICTORIA SQUARE B&K1 LOT 1(150')/ALL
 138336 " " " " Lot 1(S200')/ALL

DEDICATION
 STATE OF TEXAS
 COUNTY OF DENTON

WHEREAS Jack Bell Construction Co., Inc. and Victoria Vs LLC are the owners of all that certain tract or parcel of land situated in the William Loving Survey Abstract #759, Denton County, Texas, said tract being off of Lot 1 Block 1 Victoria Square, an addition to the City of Denton, Denton County, Texas, as evidenced by the plat recorded thereon in Cabinet E, Page 240, P.R.D.C.T., and being more fully described as follows:

BEGINNING at a 1/8 inch CIRF at the Northwest corner of said Victoria Square Addition, said point also being on the East right-of-way line of South Locust Street;

THENCE South 89 degrees 36 minutes 10 seconds East a distance of 252.99 feet to a 1/8 inch CIRF at the Northeast corner of said Victoria Square Addition, said point also being on the West right-of-way line of Wainwright Street;

THENCE South 00 degrees 02 minutes 50 seconds West, with the West right-of-way line of Wainwright a distance of 150.00 feet to a set 1/2 inch Steel Square Tubing with a plastic cap marked Cox 4577 for corner;

THENCE North 89 degrees 41 minutes 17 seconds West a distance of 105.60 feet to an X-cut in concrete found for corner;

THENCE South 00 degrees 06 minutes 35 seconds West a distance of 99.83 feet to a 1/2 inch square tube found for corner;

THENCE South 89 degrees 38 minutes 09 seconds East a distance of 49.92 feet to a set 1/2 inch Steel Square Tubing with a plastic cap marked Cox 4577 for corner;

THENCE South 00 degrees 02 minutes 50 seconds West a distance of 100.00 feet to a set 1/2 inch Steel Square Tubing with a plastic cap marked Cox 4577 at the Southeast corner of said Victoria Square Addition, said point also being on the North right-of-way line of East Prairie Street;

THENCE North 89 degrees 36 minutes 09 seconds West with the North right-of-way line of East Prairie Street a distance of 196.89 feet to a set 1/2 inch Steel Square Tubing with a plastic cap marked Cox 4577 at the Southwest corner of said Victoria Square Addition, said point also being at the intersection of the North right-of-way line of East Prairie Street and the East right-of-way line of Locust Street;

THENCE North 00 degrees 00 minutes 13 seconds West with the East right-of-way line of Locust Street and passing at a distance of 349.99 feet to the POINT OF BEGINNING and containing 1.66 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, I Jack Bell do hereby adopt this Plat designating the herein described property as Lot 1, Block 1, Victoria Square to the City of Denton, Denton County, Texas and does hereby dedicate to the public use forever the streets and easements shown therein:

Jack Bell
 Jack Bell Const. Co. Inc.

Victoria Vs
 Victoria Vs. Llc.

STATE OF TEXAS

Before me, the undersigned Notary Public for the State of Texas on this day personally appeared Jack Bell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 7th day of Oct 2008.

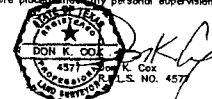
Dawan Allen
 DAWAN ALLEN
 Notary Public
 STATE OF TEXAS
 My Comm. Exp. June 26, 2011

Notary Public for the State of Texas
 Commission expires: 6/26/2011

SURVEYOR'S CERTIFICATE

NOW, KNOW ALL MEN BY THESE PRESENTS:

That I, Don K. Cox, Registered Public Surveyor, do hereby certify that I prepared this plat and description as actual and accurate survey of the land and that the iron rods shown thereon were placed under my personal supervision in accordance with the law.



CABY P6 675

AFP08-0017

16 JUNE 2008



GREG EDWARDS ENGINEERING SERVICES, INC.
 GREG EDWARDS, P.E.
 1621 AMANDA CT., POKER, TX 76259
 P:817-422-0707 F:817-422-0708

AMENDING FINAL PLAT
 Lot 1, Block 1, Victoria Square
 1.66 Acres in the
 WILLIAM LOVING SY. A-759
 City of Denton, Denton County, Texas
 Jack Bell Const. Co. Inc.
 521 E. Winlock
 940-382-9456

JOB NUMBER
 11974

Designed: GKE
 Drawn: mm
 Checked: GKE

01
 OF
 01

Filed for Record in:
 Denton County
 On: Oct 07, 2008 at 11:50AM
 As a
 Plat Tax Cert. Amend.
 Amount: 4.00
 Receipt Number: 527132
 By: Hilario Dora

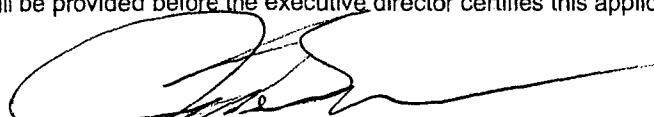
Exhibit "B"

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 ³	<input type="radio"/> NA ⁴
³ Do not submit application.			
⁴ NA only when no such municipality, private well owner, or retail public utility exists			

MSD Information:

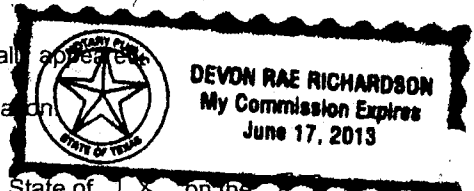
List all existing TCEQ and US Environmental Protection Agency registration, permit, identification numbers (e.g., SWR No., VCP No., LPST ID No., UIC Registration No., PWS ID. No.), if any, that apply to the groundwater contamination situation within the proposed MSD boundary. State "none" if none applicable.		
Is the proposed designated groundwater contaminated in excess of an applicable potable water ⁵ use standard (i.e., 30 TAC 350, ^{GW} GW _{ing})?	<input checked="" type="radio"/> Yes	<input type="radio"/> No ⁶
Was the groundwater contamination previously reported to the TCEQ? (To support implementation of HB 3030, 78 th Legislature.)	<input checked="" type="radio"/> Yes, when? 8 / 20 / 08	<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 ⁶	<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 ⁶	<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 ⁶
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
⁵ "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)].		
⁶ 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.

Applicant Signature:  Date: 7/27/09

Before me Devon Richardson the undersigned authority, on this day personally appeared Jack Bell and signed this Municipal Setting Designation Application.

Name of Notary
Name of Applicant



Sworn, subscribed and signed before me in the County of Denton, State of TX, on the 27 day of Monday, this month of July, 2009.