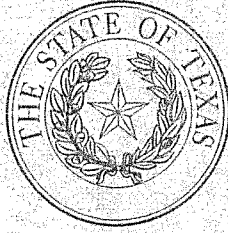


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



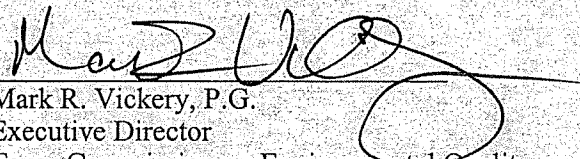
MUNICIPAL SETTING DESIGNATION CERTIFICATE

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. 134, 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 institutional control required by Texas Health and Safety Code §361.8065 is maintained in effect.

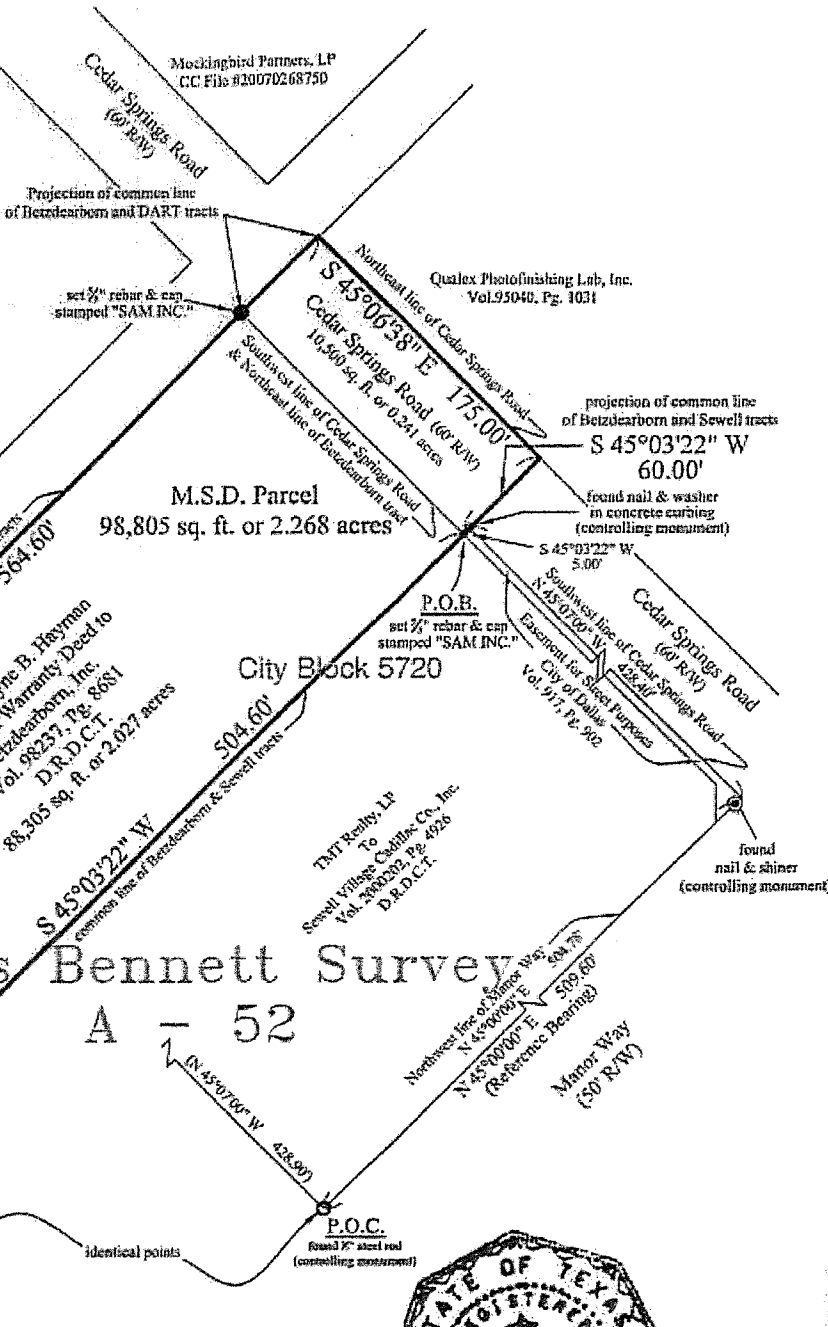
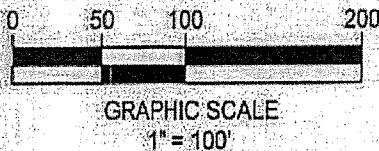
Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on Environmental Quality environmental remediation regulation, as modified by Texas Health and Safety Code §361.808.

EXECUTED this the 21<sup>st</sup> day of July, 2010

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

# Exhibit "A"

## Proposed M.S.D. Boundary 6415 Cedar Springs Road

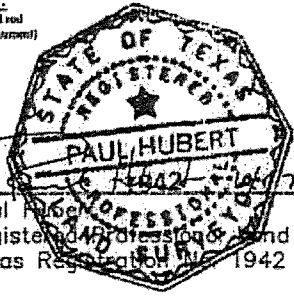


### LEGEND:

- D.R.D.C.T. Deed Records, Dallas County, Texas
- M.S.D. Municipal Setting Designation
- P.O.B. Point of Beginning
- P.O.C. Point of Commencement
- R/W Right-Of-Way
- S 45°00'00" W Field Measurement
- (S 45°00'00" W) Record Measurement
- ⊙ P.K. nail found
- Iron Rod found (as noted)
- Iron Rod set (SAM INC.)

### SURVEYOR'S NOTES:

1. Bearing shown hereon are referenced to the Northwest line of Manor Way as described in Volume 2000202, Page 4926 of the public records of Dallas County, Texas; The record bearing of said line being N 45°00'00" E.



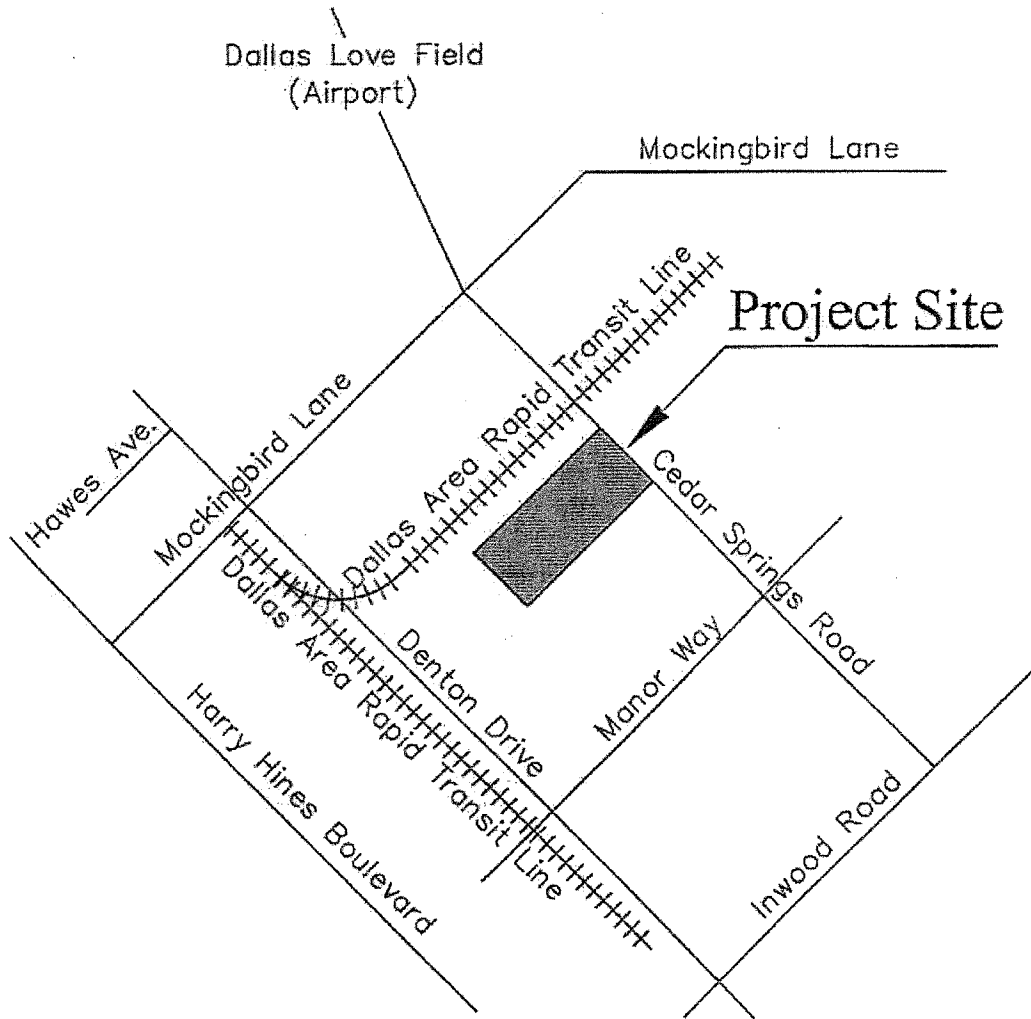
PROJECT: GEOSTYMIC
JOB NUMBER: 28096-07
DATE: 07-02-2008
SURVEYOR: M. NOWELL
PARTY CHIEF: JL
FIELDBOOK: 360/1-31
FIELDNOTE: FN
TECHNICIAN: H.W.S.
DRAWING: 28096-07_MSD-PARCEL-PLAT.DWG
SCALE: 1" = 100'



1450 Empire Central Drive  
Suite 175  
Dallas Texas 75247  
(214) 831-7888  
Fax: (214) 631-7103  
EMAIL: sam@saminc.biz

Proposed M.S.D. Boundary  
6415 Cedar Springs Road  
Miles Bennett Survey A-52  
City Block No. 5720  
City Of Dallas  
Dallas County, Texas

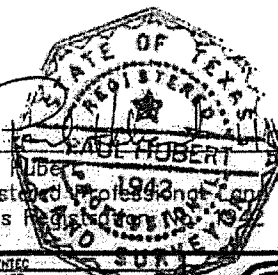
Site Location (Vicinity) Map  
6415 Cedar Springs Road



(Not To Scale)

Page 2 of 3

Paul Hubert  
 Registered Professional Land Surveyor  
 Texas



PROJECT:	GEOSYNIC
JOB NUMBER:	28098-07
DATE:	07-02-2008
SURVEYOR:	N. HOWELL
PARTY CHIEF:	JL
FIELDBOOK:	380/1-31
FIELDNOTE:	FM
TECHNICIAN:	H.W.S.
DRAWING:	28097-07_MSD-PARCEL-PLAN.DWG
SCALE:	1"=100'



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Proposed M.S.D. Boundary  
 6415 Cedar Springs Road  
 Miles Bennett Survey A-52  
 City Block No. 5720  
 City Of Dallas  
 Dallas County, Texas

6415 Cedar Springs Road  
City of Dallas, Dallas County, Texas

Being a tract of land situated in the Miles Bennett Survey, Abstract No. 52, City of Dallas, Dallas County, Texas and being a portion of City Block 5720 and a portion of Cedar Springs Road, said tract being that tract as described in a deed from the Estate of Alynne B. Hayman to Betzdearborn, Inc. recorded in Volume 98237, Page 8681, Deed Records of Dallas County, Texas (D.R.D.C.T.), and that portion of Cedar Springs Road adjoining said Betzdearborn tract, and being more particularly described by metes and bounds as follows:

COMMENCING at a found 5/8 inch steel rod on the Northwest Right-Of-Way (R.O.W.) line of Manor Way (a 50' R.O.W. at this point) being the south corner of a tract of land described in a deed to Sewell Village Cadillac Co., Inc. recorded in Volume 2000202, Page 4926, D.R.D.C.T., said 5/8 inch rod being a controlling monument;

THENCE the following three calls:

THENCE North 45 degrees 00 minutes 00 seconds East (Reference Bearing per said deed to Sewell Village Cadillac Co., Inc.) along said Northwest R.O.W. and the Southeast line of said Sewell Village Cadillac Co., Inc. tract - passing at 504.78 feet a nail and shiner (a controlling monument) on said Northwest R.O.W. line - in all 509.60 feet to the East corner of said Sewell Village Cadillac Co., Inc. tract on the Southwest R.O.W. line of Cedar Springs Road (a 50' R.O.W. at this point);

THENCE North 45 degrees 07 minutes 00 seconds West along said Southwest R.O.W. line of Cedar Springs Road, a distance of 428.40 to a found nail and washer in concrete (a controlling monument) being the North corner of said Sewell Cadillac Co., Inc. tract;

THENCE South 45 degrees 03 minutes 22 seconds West along the Northwest line of said Sewell Village Cadillac Co., Inc. tract, a distance of 5.00 feet to the POINT OF BEGINNING being a set 5/8 inch SAM Inc. capped steel rod for the East corner of said Betzdearborn tract on the Southwest R.O.W. of Cedar Springs Road (a 60 foot R.O.W. at this point);

THENCE South 45 degrees 03 minutes 22 seconds West along the common line between said Betzdearborn tract and said Sewell Village Cadillac Co., Inc. tract, a distance of 504.60 feet to a set 5/8 inch SAM Inc. capped steel rod being the South corner of said Betzdearborn tract and the West corner of said Sewell Village Cadillac Co., Inc. tract and the Northeast line of an M.K.T. Railroad 40 foot wide R.O.W.;

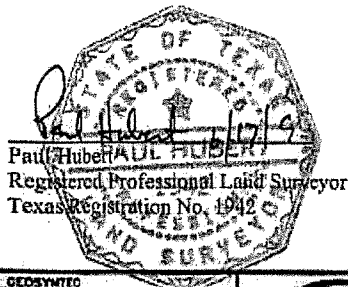
THENCE North 45 degrees 06 minutes 38 seconds West along the Southwest line of said Betzdearborn tract and the Northeast line of said M.K.T. Railroad 40 foot wide R.O.W., a distance of 175.00 feet to a set 5/8 inch SAM Inc. capped steel rod being the West corner of said Betzdearborn tract on the Southeast line of a tract described in a deed to Dallas Area Rapid Transit (DART) recorded in Volume 88083, Page 8682, D.R.D.C.T.;

THENCE North 45 degrees 03 minutes 22 seconds East along the common line between said Betzdearborn tract and said DART tract and a projection thereof, passing at 504.60 feet a set 5/8 inch SAM Inc. capped steel rod being the North corner of said Betzdearborn tract on the Southwest R.O.W. line of Cedar Springs Road, in all 564.60 feet to a point for corner on the Northeast R.O.W. line of Cedar Springs Road;

THENCE South 45 degrees 06 minutes 38 seconds East along said Northeast R.O.W. line of Cedar Springs Road, being 60' from and parallel to the Northeast line of said Betzdearborn tract, a distance of 175.00 feet to a point for corner, same being the intersection of said Northeast R.O.W. line of Cedar Springs Road with the Northeast projection of the common line between said Betzdearborn tract and Sewell Village Cadillac Co., Inc. tract;

THENCE South 45 degrees 03 minutes 22 seconds West along said Northeast projection, passing, at 55.00 feet, the aforementioned found nail and washer in concrete (a controlling monument) being the North corner of said Sewell Cadillac Co., Inc. tract, in all a distance of 60.00 feet to the aforementioned set 5/8 inch SAM Inc. capped steel rod set for the East corner of said Betzdearborn tract in the Southwest R.O.W. line of Cedar Springs Road and the POINT OF BEGINNING; embracing a total of 98,805 square feet or 2.268 acres, of which 88,305 square feet or 2.027 acres of land lay within the Betzdearborn tract and 10,500 square feet or 0.241 acres of land lay within Cedar Springs Road.

By:



Page 3 of 3

PROJECT: GEOSYNTHIC
DS NUMBER: 25098-07
DATE: 07-02-2008
SURVEYOR: M. NOWELL
PARTY CHIEF: J.
FIELDBOOK: S&D/1-31
FIELDNOTE: FN
TECHNICIAN: H.W.S.
DRAWING: E6097-07_MSO-PARCEL-PLAT.DWG
SCALE: 1"=100'



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Proposed M.S.D. Boundary  
6415 Cedar Springs Road  
Miles Bennett Survey A-52  
City Block No. 5720  
City Of Dallas  
Dallas County, Texas

# 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 type="radio"/> Yes	<input type="radio"/> No <sup>3</sup>	<input checked="" type="radio"/> NA <sup>4</sup>
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<sup>3</sup> Do not submit application.

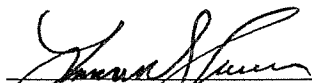
<sup>4</sup> NA only when no such municipality, private well owner, or retail public utility exists

**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. CN: 600286553, RN: 104615471, IHW T0661 (active), IHW T0490 (inactive)		
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? 02 / 22 /2010	<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):

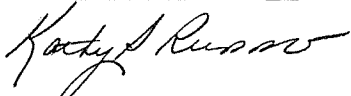
- The MSD eligibility criteria of THSC §361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC §361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the proposed 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.

  
Applicant Signature

MARCH 8, 2010  
Date

Before me Kathy S Russo the undersigned authority, on this day personally appeared  
LANCE HAWLER Name of Notary  
Name of Applicant and signed this Municipal Setting Designation Application.

Sworn, subscribed and signed before me in the County of MONTGOMERY, State of PA, on the 8<sup>TH</sup> day of MARCH, this month of MARCH, 2010.

TCEQ-20149 June 2007 

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Kathy S. Russo, Notary Public  
Upper Merion Twp., Montgomery County  
My Commission Expires Sept. 25, 2010

Member, Pennsylvania Association of Notaries