

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niemann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 17, 2017

Ms. Shanae Jennings, City Secretary  
City of Irving  
825 W. Irving Blvd.  
Irving, Texas 75060

Re: Municipal Setting Designation (MSD) Certificate for Ryan Street Developers, LLC, 1860 Ryan Rd, Dallas, Dallas County, TX; Municipal Setting Designation (MSD) No. 344; VCP 2772; Customer No. CN 604928564; Regulated Entity No. RN 105650345

Dear Ms. Jennings:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD certificate dated February 15, 2017. The City of Dallas passed an ordinance (Ordinance No. 30118) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please contact me at (512) 239-3170 or via e-mail ([Estefani.jimenez@tceq.texas.gov](mailto:Estefani.jimenez@tceq.texas.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read "Estefani D. Jimenez".

Estefani D. Jimenez  
VCP-CA Section  
Remediation Division

EDJ/jdm

Enclosure: Copy of MSD Certificate No. 344

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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February 17, 2017

Ms. Rosa A. Rios, City Secretary  
Dallas City Hall  
1500 Marilla Street  
Room 5D South  
Dallas, Texas 75201-6390

Re: Municipal Setting Designation (MSD) Certificate for Ryan Street Developers, LLC, 1860 Ryan Rd, Dallas, Dallas County, TX; Municipal Setting Designation (MSD) No. 344; VCP 2772; Customer No. CN 604928564; Regulated Entity No. RN 105650345

Dear Ms. Rios:

As required by Texas Health & Safety Code §361.807(a)(2), enclosed is a copy of the MSD certificate dated February 15, 2017. The City of Dallas passed an ordinance (Ordinance No. 30118) in support of this MSD application. For this reason, the Texas Commission on Environmental Quality is required to provide you a copy of the MSD Certificate.

If you have any questions, please contact me at (512) 239-3170 or via e-mail ([Estefani.jimenez@tceq.texas.gov](mailto:Estefani.jimenez@tceq.texas.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read "Estefani D. Jimenez".

Estefani D. Jimenez  
VCP-CA Section  
Remediation Division

EDJ/jdm

Enclosure: Copy of MSD Certificate No. 344

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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 17, 2017

Mr. Mike Uhrick, Manager  
Ryan Street Developers, LLC  
11221 Tantor Road  
Dallas, Texas 75229

Re: Municipal Setting Designation (MSD) Certificate for Ryan Street Developers, LLC, 1860 Ryan Rd, Dallas, Dallas County, TX; Municipal Setting Designation (MSD) No. 344; VCP 2772; Customer No. CN 604928564; Regulated Entity No. RN 105650345

Dear Mr. Uhrick

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on November 7 2016 and additional information supporting this MSD application on January 31 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) 239-3170 or via e-mail ([estefani.jimenez@tceq.texas.gov](mailto:estefani.jimenez@tceq.texas.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read "Estefani D. Jimenez".

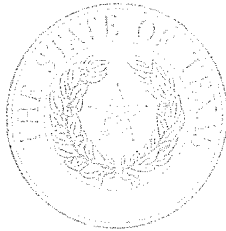
Estefani D. Jimenez  
VCP-CA Section  
Remediation Division

EDJ/jdm

cc: Ms. Jill Kotvis, P.C., 6605 Blue Valley, Dallas, TX 75214  
Mr. Dick Record, PG, Cirrus Associates, LLC, 600 S. Sherman St., Ste. 102,  
Richardson, TX 75081  
Mr. Sam Barrett, Waste Section Manager, TCEQ Region 4 Office, Dallas

Enclosure: MSD Certificate

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):

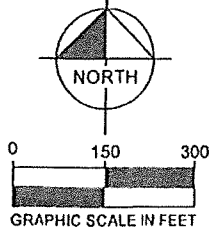
I, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 344, in the City of Dallas, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit 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 15<sup>th</sup> day of February, 2017

Beth Seaton

Beth Seaton, Director  
Remediation Division  
Texas Commission on Environmental Quality

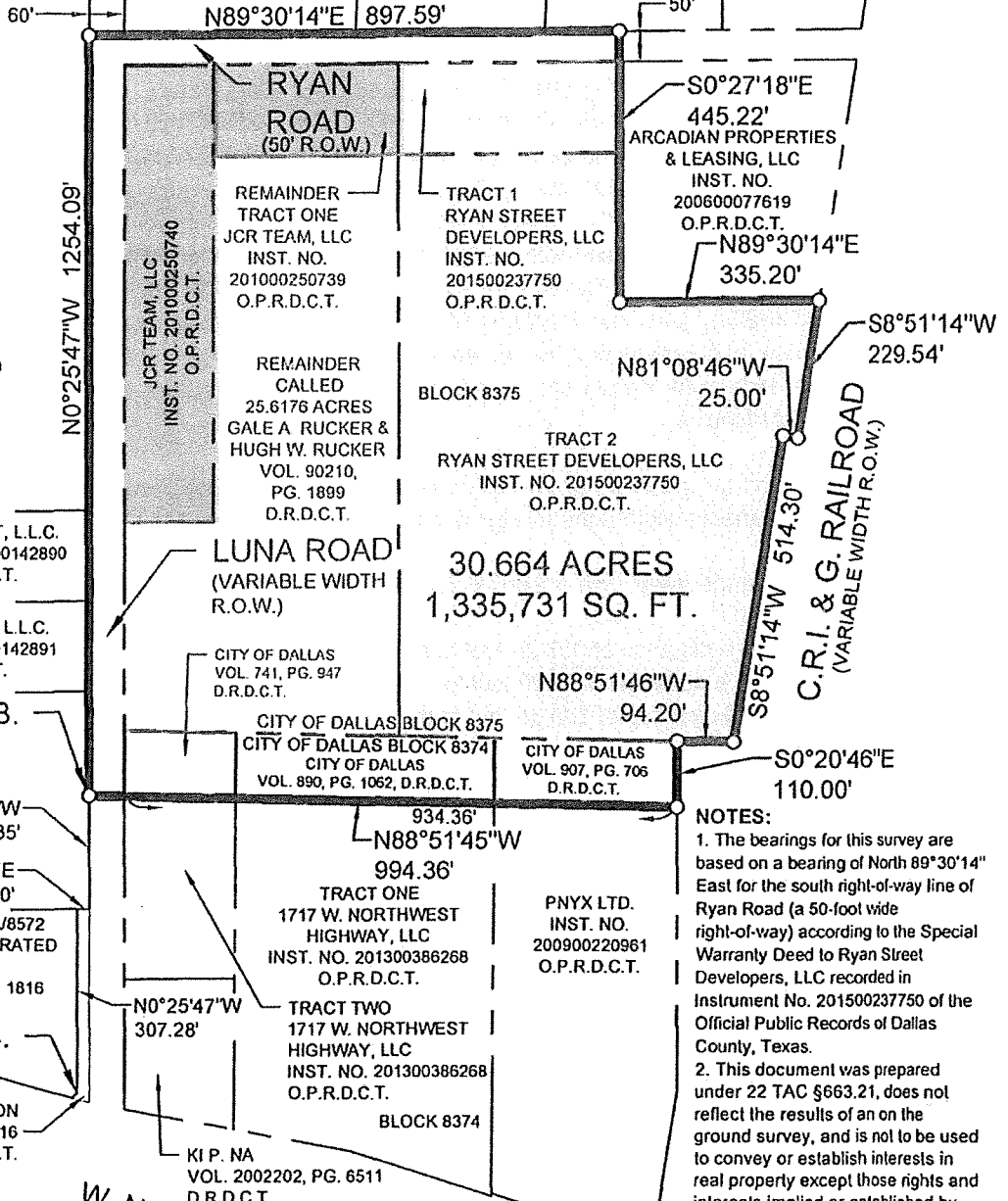


ISSAM AL SHMAISANI  
INST. NO. 201200271065  
O.P.R.D.C.T.

NILCO ENTERPRISES  
INC.  
VOL. 97219, PG. 3727  
D.R.D.C.T.

O'NEAL METALS  
(TEXAS), L.P.  
VOL. 99004,  
PG. 5754  
D.R.D.C.T.

DALLAS TUBE  
PARTNERSHIP  
VOL. 86133,  
PG. 5280  
D.R.D.C.T.



NOTES:  
1. The bearings for this survey are based on a bearing of North 89°30'14" East for the south right-of-way line of Ryan Road (a 50-foot wide right-of-way) according to the Special Warranty Deed to Ryan Street Developers, LLC recorded in Instrument No. 201500237750 of the Official Public Records of Dallas County, Texas.  
2. 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 interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

LEGEND

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
R.O.W. = RIGHT-OF-WAY  
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS  
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

DANA BROWN  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5336  
12750 MERIT DRIVE, SUITE 1000  
DALLAS, TEXAS 75251  
PH. 972-770-1300  
dana.brown@kimley-horn.com



EXHIBIT A  
M.S.D. SURVEY  
CITY OF DALLAS BLOCKS 8374 & 8375  
WILLIAM BABBITT SURVEY,  
ABSTRACT NO. 155  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**Kimley»Horn**

12750 Merit Drive, Suite 1000  
Dallas, Texas 75251 FIRM # 10115500 Tel. No. (972) 770-1300  
Fax No. (972) 239-3820

Scale 1" = 300'	Drawn by SLJ	Checked by DAB/JAD	Date SEPT. 2015	Project No. 084484200	Sheet No. 3 OF 3
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**LEGAL DESCRIPTION**

30.664 ACRES

BEING a tract of land situated in the William Babbitt Survey, Abstract No. 155, City of Dallas, Dallas County, Texas, and in City Blocks 8374 and 8375 of the Official Block Numbers of the City of Dallas, Texas; being part of that tract of land described as Tract One in Special Warranty Deed to JCR Team, LLC recorded in Instrument No. 201000250739, Official Public Records of Dallas County, Texas; all of that tract of land described in Special Warranty Deed to JCR Team, LLC recorded in Instrument No. 201000250740 of said Official Public Records; all of that tract of land described in General Warranty Deed to the City of Dallas recorded in Volume 741, Page 947, Deed Records of Dallas County, Texas; all of those tracts of land described in Warranty Deeds to the City of Dallas recorded in Volume 890, Page 1062 and Volume 907, Page 706 of said Deed Records; all of a called 25.6176 acre tract of land described as Exhibit F in Marital Property Agreement to Gale A. Rucker and Hugh W. Rucker recorded in Volume 90210, Page 1899 of said Deed Records; all of Tract 1 and Tract 2 as described in Special Warranty Deed to Ryan Street Developers, LLC recorded in Instrument No. 201500237750 of said Official Public Records, a portion of Ryan Road (a 50-foot wide right-of-way) and a portion of Luna Road (a variable width right-of-way); and being more particularly described as follows:

COMMENCING at the north end of a right-of-way corner clip at the intersection of the north right-of-way line of W. Northwest Highway (a variable width right-of-way) and the west right-of-way line of said Luna Road;

THENCE with said west right-of-way line of Luna Road, the following courses and distances:

- North 0°25'47" West, a distance of 307.28 feet to a point for corner;
- North 89°33'23" East, a distance of 20.00 feet to a point for corner;
- North 0°25'47" West, a distance of 188.35 feet to the POINT OF BEGINNING;

THENCE with said west right-of-way line of Luna Road, North 0°25'47" West, a distance of 1,254.09 feet to a point for corner;

THENCE departing said west right-of-way line of Luna Road, North 89°30'14" East, at a distance of 60.00 feet passing the northwest terminus of said Ryan Road and continuing with the north right-of-way line of said Ryan Road for a total distance of 897.59 feet to a point for corner;

THENCE departing said north right-of-way line of Ryan Road, South 0°27'18" East, at a distance of 50.00 feet passing the northeast corner of said Tract 1 and the northwest corner of a tract of land described in Special Warranty Deed to Arcadian Properties & Leasing, LLC recorded in Instrument No. 200600077619 of said Official Public Records and continuing for a total distance of 445.22 feet to a point at the southwest corner of said Arcadian Properties & Leasing, LLC tract;

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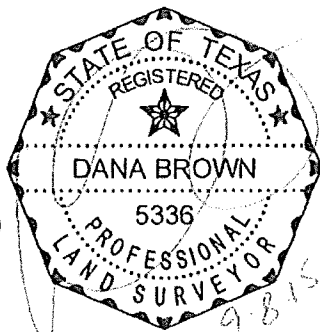


EXHIBIT A  
M.S.D. SURVEY  
CITY OF DALLAS BLOCKS 8374 & 8375  
WILLIAM BABBITT SURVEY,  
ABSTRACT NO. 155  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**Kimley»Horn**

12750 Merit Drive, Suite 1000  
Dallas, Texas 75251

FIRM # 10115500

Tel. No. (972) 770-1300  
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SLJ	DAB/JAD	SEPT. 2015	054484200	1 OF 3

**LEGAL DESCRIPTION**

30.665 ACRES

(continued)

THENCE with said south line of the Arcadian Properties & Leasing, LLC tract, North 89°30'14" East, a distance of 335.20 feet to a point for corner in the west line of the C.R.I. & G. Railroad (a variable width right-of-way) at the southeast corner of said Arcadian Properties & Leasing, LLC tract;

THENCE with said west line of the C.R.I. & G. Railroad tract, the following courses and distances:

- South 8°51'14" West, a distance of 229.54 feet to a point for corner;
- North 81°08'46" West, a distance of 25.00 feet to a point for corner;
- South 8°51'14" West, a distance of 514.30 feet to a point for corner;
- North 88°51'46" West, a distance of 94.20 feet to a point for corner;
- South 0°20'46" East, a distance of 110.00 feet to a point at the southeast corner of last mentioned City of Dallas tract;

THENCE with the south line of said City of Dallas tracts, North 88°51'45" West, at a distance of 934.36 feet passing the east right-of-way line of said Luna Road and continuing for a total distance of 994.36 feet to the POINT OF BEGINNING and containing 30.664 acres or 1,335,731 square feet of land.

The bearings for this survey are based on a bearing of North 89°30'14" East for the south right-of-way line of Ryan Road (a 50-foot wide right-of-way) according to the Special Warranty Deed to Ryan Street Developers, LLC recorded in Instrument No. 201500237750 of the Official Public Records of Dallas County, Texas.

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 interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

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EXHIBIT A  
M.S.D. SURVEY  
CITY OF DALLAS BLOCKS 8374 & 8375  
WILLIAM BABBITT SURVEY,  
ABSTRACT NO. 155  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

<b>Kimley»»Horn</b>					
<small>12750 Merit Drive, Suite 1000 Dallas, Texas 75251</small>			<small>FIRM # 10115500</small>		<small>Tel. No. (972) 770-1300 Fax No. (972) 239-3820</small>
<small>Scale N/A</small>	<small>Drawn by SLJ</small>	<small>Checked by DAB/JAD</small>	<small>Date SEPT. 2015</small>	<small>Project No. 064484200</small>	<small>Sheet No. 2 OF 3</small>

# Municipal Setting Designation

## Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Mike Uhrick, Manager, as an authorized representative of Ryan Street Developers, 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.

*Mike Uhrick*  
Signature

Date: 10-17-16

Mike Uhrick  
Printed Name

Manager  
Title

Manager  
Title

Manager  
Title

STATE OF Texas

COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 17<sup>th</sup> day of October 2016, to which witness my hand and seal of office.

*Preston Dargan*  
Notary Public in and for the State of Texas

