

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

February 15, 2017

Mr. Howard L. Lawson
Highland Industrial Properties, LLC
7411 Hines Place, Suite 100
Dallas, Texas 75235

Re: Municipal Setting Designation (MSD) Certificate for Highland Industrial Properties, LLC,
Commercial Building, 10760 Shady Trail, Dallas, Dallas County, TX
MSD No. 345; Voluntary Cleanup Program No. 2476
Customer No. CN604939009; Regulated Entity No. RN105451355

Dear Mr. Lawson:

The Texas Commission on Environmental Quality (TCEQ) received the Municipal Setting Designation (MSD) application for the above referenced property on November 18, 2016, and additional information supporting this MSD application was received on January 30, 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 Certificate for your site. If you have any questions, please do not hesitate to contact me at (512) 239-1747 or via e-mail at anthony.mcglown@tceq.texas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony McGlown".

Anthony McGlown, Project Manager
VCP-CA Section
Remediation Division

ABM/del

cc: Mr. Scott K. Harlan, P.G., Environmental Claims Management, Inc. (PDF via E-mail)
Mr. Sam Barrett, Waste Section Manager, TCEQ Region 4 Office, Dallas/Fort Worth

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. 345, 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 15th day of February, 2017

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

10760 Shady Trail, Dallas, Tx - 1.89 Acres

Being all that certain tract of land situated in the James Mathews Survey, Abstract Number 955, City of Dallas, Dallas County, Texas and being all of Lot 2 in Block D-1, of Highland Industrial Park No. 2, an addition to said City, according to the Replat thereof recorded in Volume 43, Page 183, Map Records of said County, and being a part of the right-of-way of Manana Drive and Shady Trail; the subject tract being more particularly described as follows:

BEGINNING at a point for the Northeast corner of said Lot 2;

Thence South 00 degrees 55 minutes 00 seconds East a distance of 284.83 feet to a point in the South right-of-way of said Manana Drive;

Thence South 89 degrees 52 minutes 00 seconds West a distance of 290.70 feet to a point at the intersection of the South right-of-way of said Manana Drive and the West right-of-way of said Shady Trail;

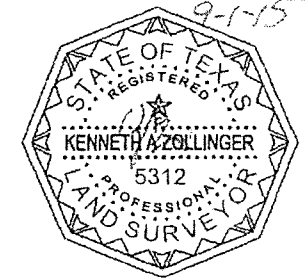
Thence North 00 degrees 18 minutes 50 seconds West with the West right-of-way thereof a distance of 284.38 feet to a point;


Thence North 89 degrees 46 minutes 51 seconds East, passing a 1/2" iron rod found for the Northwest corner of said Lot 2 at 61.12 feet, and continuing along said course a total distance of 287.70 feet to the PLACE OF BEGINNING and enclosing 1.89 acres of land more or less.

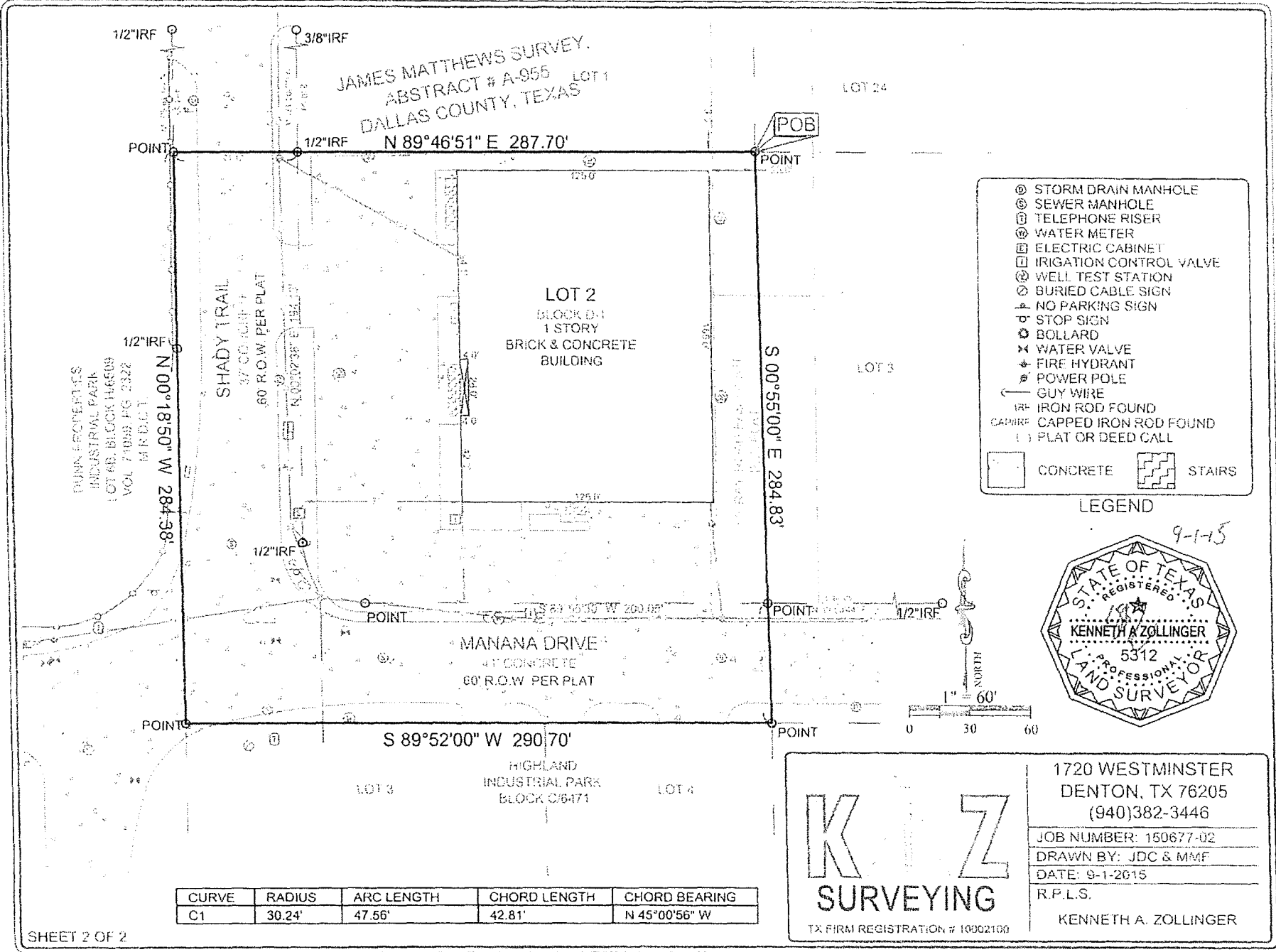
FLOOD STATEMENT: I have reviewed the F.E.M.A. Flood Insurance Rate Map for the City of Dallas, Community Number 480171 effective date 8-23-2001 and that map indicates as scaled, that this property is within "Non-Shaded Zone X" defined as " Areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 310 J of said map.

NOTE: This survey is certified to Enviromental Claims Management, Inc.

NOTE: This survey correctly represents the results of an on-the-ground survey made under my direction and supervision on 8-27-2015. There are no visible or apparent intrusions or protrusions except as shown hereon.

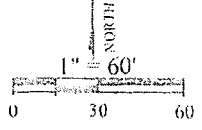
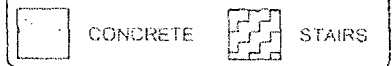


 K Z SURVEYING <small>TX FIRM REGISTRATION # 10002100</small>	1720 WESTMINSTER DENTON, TX 76205 (940)382-3446
	JOB NUMBER: 150677-02
	DRAWN BY: JDC & MMF
	DATE: 9-1-2015
	R.P.L.S. KENNETH A. ZOLLINGER



- ⊙ STORM DRAIN MANHOLE
- ⊙ SEWER MANHOLE
- ⊙ TELEPHONE RISER
- ⊙ WATER METER
- ⊙ ELECTRIC CABINET
- ⊙ IRRIGATION CONTROL VALVE
- ⊙ WELL TEST STATION
- ⊙ BURIED CABLE SIGN
- ⊙ NO PARKING SIGN
- ⊙ STOP SIGN
- ⊙ BOLLARD
- ⊙ WATER VALVE
- ⊙ FIRE HYDRANT
- ⊙ POWER POLE
- ← GUY WIRE
- IRF IRON ROD FOUND
- CAMIRF CAPPED IRON ROD FOUND
- () PLAT OR DEED CALL

LEGEND



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	30.24'	47.56'	42.81'	N 45°00'56" W

SHEET 2 OF 2

K & Z
SURVEYING

TX FIRM REGISTRATION # 10002100

1720 WESTMINSTER
DENTON, TX 76205
(940)382-3446

JOB NUMBER: 150677-02
DRAWN BY: JDC & MMF
DATE: 9-1-2015

R.P.L.S.
KENNETH A. ZOLLINGER

Y:\JOBS\JOBS 2015\150677-DRAWING\150677.dwg, 8/17/2016 1:10:16 PM

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Howard L. Lawson, as an authorized representative of Highland Industrial Properties, 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.

Howard L. Lawson
Signature

Date: 10/18/16

Howard L. Lawson
Printed Name
Managing Partner
Title

STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 18th day of October 2016, to which witness my hand and seal of office.

Andrea J McIntyre
Notary Public in and for the State of TX

