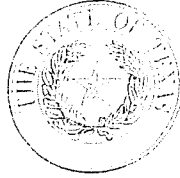


Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 24, 2009

Mr. Keith Wheeler, Principle Hydrogeologist  
Past, Behling & Wheeler, LLC  
2201 Double Creek Dr., Suite 4004  
Round Rock, TX 78664

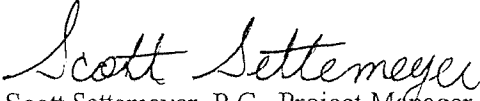
RE: Municipal Setting Designation (MSD) Certificate for Former IH-30 Refinery, 3901 La Reunion Parkway, 3870 La Reunion Parkway, 3950 La Reunion Parkway, 3805 Pipestone Road, 3901 Pipestone Road, 3940 Pipestone Road, 3951 Pipestone Road, 4010 La Reunion Parkway, 4020 La Reunion Parkway, 4030 La Reunion Parkway, 2322 French Settlement Road, 2271 French Settlement Road, 4051 La Reunion Parkway, 3950 Bastille Road, 4040 Pipestone Road, 4000 Bastille Rd., 2100 Bastille Rd., 4000 Pipestone Rd., 2322 French Settlement Rd., 3700 Pipestone Rd., 3875 La Reunion Parkway, 4200 IH-30, 3900 Singleton Boulevard, Dallas, Dallas County, Texas; Municipal Setting Designation (MSD) No. 112

Dear Mr. Wheeler:

Enclosed is the Municipal Setting Designation Certification for your site. You can use this certification as the basis to avail of the groundwater assessment and remediation flexibility offered in accordance with Texas Health and Safety Code §361.808, consistent with the site-specific circumstances.

If I can be of any further assistance, please do not hesitate to contact me at (512) 239-3429 or via e-mail ([ssetteme@tceq.state.tx.us](mailto:ssetteme@tceq.state.tx.us)).

Sincerely,

  
Scott Settemeyer, P.G., Project Manager  
VCP-CA Section  
Remediation Division

DSS/jdm

Enclosure

cc: Mr. Mark Riggle, Project Manager for VCP No. 1453, Remediation Division, MC-221  
Mr. Jeff Beckage, Project Manager for SWR No. 31775, Remediation Division, MC-221

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



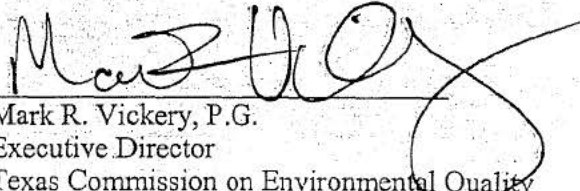
MUNICIPAL SETTING DESIGNATION CERTIFICATE

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. 112, 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 13<sup>th</sup> day of November, 2009

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

# Exhibit "A"

**MUNICIPAL SETTING DESIGNATION  
CITY BLOCKS 7202, 7214, 7215 & 7218  
LAND DESCRIPTION  
273.4 Acres (Net)**

**BEING** a 298.558 acre tract of land situated in the D.A. Learned Survey, Abstract No. 771, the Horace Burnham Survey, Abstract No. 106, the Thomas Cheshire Survey, Abstract No. 251, the Thacker V. Griffin Survey, Abstract No. 511 and the Philemon Lacy Survey, Abstract No. 776, City of Dallas, Dallas County, Texas, and being all of the following tracts of land as described in instruments to; Motiva Enterprises, LLC (27.77 acres) recorded in Volume 98213, Page 3597, Turnpike Sub, LLC (Tract 15 – 2.714 acres, Tract 16 – 11.984 acres, Tract 17 – 4.894 acres, Tract 18 – 5.341 acres, Tract 19 – 7.657 acres, Tract 20, 6.243 acres, Tract 21 – 2.285 acres, Tracts 22, 23 & 24 – 11.007 acres, Tract 25- 11.373 acres, Tract 26 – 11.225 acres, Tract 27 – 13.222 acres, Tract 28 – 12.586 acres, Tract 29 – 26.131 acres, recorded in Instrument No. 2006000365444, Lit-Deansbank No. 8 (11.2372 acres) recorded in Volume 2003051, Page 4057, TDC # 12, Ltd. recorded in Volume 81174, Page 929, TDC # 12, Ltd. recorded in Volume 2004239, Page 4745, I-30 Distribution, L.P. recorded in Instrument No. 200600125977, Instrument No. 20070201344 and Instrument No. 20080032742, TXI Operations, L.P. recorded in Volume 98087, Page 8888, and being a portion of that tract of land as described in instrument to Trammel Crow Co. #60, recorded in Volume 80245, Page 2779, Volume 82093, Page 3000 and Volume 82088, Page 1896 and a portion of that tract of land as described in instrument Petula Associates, Ltd. recorded in Volume 90146, Page 2266 all of the Deed Records of Dallas County, Texas (D.R.D.C.T.), also being part of the following platted subdivisions; Turnpike Distribution Center, recorded in Volume 72147, Page 1690, Turnpike Distribution Center Phase II, recorded in Volume 82154, Page 2631, Turnpike Distribution Center Phase III, recorded in Volume 85167, Page 5066 and Turnpike Distribution Center Phase IV, recorded in Volume 88083, Page 5040, also being part of the following public right-of-ways; Singleton Boulevard as established by deeds to Dallas County recorded in Volume 2238, Page 390, Volume 83214, Page 421, Volume 84090, Page 5169, Volume 84113, Page 1991 and Volume 84143, Page 3894, St. Germain Road, French Settlement Road, Pipestone Road, La Reunion Parkway and Bastille Road as established by said plat of Turnpike Distribution Center, Interstate Highway 30 as established by deed to the Texas Turnpike Authority, recorded in Volume 4407, Page 373 and Volume 4491, Page 1, and by deed to the State of Texas, recorded in Volume 2001151, Page 2343, and being part of the Union Pacific Railroad (no deed of record found) and being more particularly described as follows;

**BEGINNING** at a 1/2" iron rod found with Vogt cap on the southerly right-of-way line of Singleton Boulevard (variable width right-of-way) as established by instrument to Dallas County, recorded in Volume 84143, Page 3894, D.R.D.C.T., and being the northwest corner of Lot 6, Block A/7215 of the Pfeil Addition, an addition to the City of Dallas as recorded in Volume 93181, Page 2170, D.R.D.C.T., the same being the northeast corner of said Motiva Enterprises 27.77 acre tract;

**THENCE**, South 00 degrees 24 minutes 09 seconds West along the westerly line of the Pfeil Addition, and along the easterly line of said Motiva Enterprises 27.77 acre tract, a distance of

1,111.59 feet to a 5/8" iron rod found with "Huitt-Zollars" cap for the southeast corner of said Motiva Enterprises 27.77 acre tract, and being on the northerly right-of-way line of the Union Pacific Railroad (125 foot right-of-way);

**THENCE**, South 64 degrees 05 minute 49 second East, crossing the Union Pacific Railroad right-of-way, a distance of 194.25 feet to a point at the intersection of the southerly right-of-way line of the Union Pacific Railroad with the westerly right-of-way line of French Settlement Road (a 70 foot right-of-way at this point) as established by said plat of Turnpike Distribution Center, Phase III, from which a 1/2 inch iron rod found with Halff Associates cap bears North 40 degrees 35 minute 07 second West, a distance of 0.36 feet;

**THENCE**, North 76 degrees 01 minutes 30 seconds East, along the southerly right-of-way line of the Union Pacific Railroad, a distance of 984.17 feet to a point at the northeast corner of Lot 1, Block E/7218, of said Turnpike Distribution Center, Phase III, from which a 1/2 inch iron rod found with Halff Associates cap bears North 03 degrees 24 minute 40 second East, a distance of 0.84 feet;

**THENCE**, South 13 degrees 58 minutes 30 seconds East, along the easterly line of said Lot 1, a distance of 46.67 feet to a 1/2 inch iron rod found with Halff Associates cap at an angle point;

**THENCE**, South 06 degrees 24 minutes 30 seconds West, along the easterly line of said Lot 1, a distance of 200.37 feet to a point for a corner on the northerly right-of-way line of St. Germain Road, (a variable width right-of-way) as established by said plat of Turnpike Distribution Center;

**THENCE**, along the northerly and easterly right-of-way line of said St. Germain Road the following;

North 76 degrees 01 minutes 30 seconds East, a distance of 43.87 feet to the beginning of a curve to the right having a radius of 70.00 feet, a central angle of 101 degrees 52 minutes 00 seconds and being subtended by a chord of 108.70 feet, bearing South 53 degrees 02 minutes 30 seconds East;

Along said curve to the right an arc distance of 124.45 feet to a point at the end of said curve;

South 02 degrees 06 minutes 30 seconds East, a distance of 265.61 feet to a point for a corner;

**THENCE**, crossing St. Germain Road, South 76 degrees 01 minutes 30 seconds West, a distance of 143.06 feet to a point for a corner on the west right-of-way line of said St. Germain Road, said point being the common easterly corner of Lot 1, Block E/7218, Turnpike Distribution Center Phase III (Vol. 85167, Page 5066) and Lot 2, Block B/7218, Turnpike Distribution Center (Vol. 72147, Page 1690), from which a 60 D nail found bears North 03 degrees 30 minutes 16 seconds East, a distance of 0.36 feet;

**THENCE**, South 76 degrees 01 minutes 30 seconds West, along the common line of said Lot 1, Block E/7218 and Lot 2, Block B/7218, a distance of 1297.94 feet to a point for a corner on the easterly right-of-way line of French Settlement Road, (a variable width right-of-way) as established by said plat of Turnpike Distribution Center, from which a 1/2 inch iron rod with Halff Associates cap found bears North 33 degrees 04 minutes 04 seconds West, a distance of 6.69 feet;

**THENCE**, crossing French Settlement Road, South 76 degrees 10 minutes 23 seconds West, a distance of 194.78 feet to a 1/2 inch iron rod with Halff Associates cap found on the west right-of-way line of French Settlement Road, and being the beginning of a non-tangent curve to the left having a radius of 345.00 feet, a central angle of 11 degrees 06 minutes 18 seconds and being subtended by a chord of 66.76 feet, bearing South 33 degrees 14 minutes 37 seconds West;

Along said curve to the left and along the westerly right-of-way line of French Settlement Road, an arc distance of 66.87 feet to a 1/2 inch iron rod with Halff Associates cap found at the end of said curve, the same being the common easterly corner of Block E1/7218, Turnpike Distribution Center Phase IV (Vol. 88083, Page 5040) and Block D/7214, Turnpike Distribution Center Phase II (Vol. 82154, Page 2631);

**THENCE**, along the common line of said Block E1/7218 and Block D/7214, the following;

departing the westerly right-of-way line of French Settlement Road, North 00 degrees 13 minutes 09 seconds East, a distance of 11.24 feet to a point for a corner;

North 89 degrees 46 minutes 51 seconds West, a distance of 58.50 feet to a 1/2 inch iron rod with Halff Associates cap found for a corner;

South 75 degrees 57 minutes 08 seconds West, a distance of 291.60 feet to a 1/2 inch iron rod with Halff Associates cap found for a corner;

North 14 degrees 02 minutes 51 seconds West, a distance of 69.51 feet to a point for a corner;

South 76 degrees 00 minutes 23 seconds West, a distance of 496.39 feet to an X cut in concrete found for a corner;

South 00 degrees 15 minutes 17 seconds West, a distance of 333.45 feet to a 1/2 inch iron rod with Halff Associates cap found on the northerly line of Block C/7214 Turnpike Distribution Center Phase II (Vol. 82154, Page 2631);

**THENCE**, along the common line of said Block C/7214 and Block D/7214, the following;

South 89 degrees 46 minutes 35 seconds East, a distance of 372.43 feet to a 1/2 inch iron rod with Halff Associates cap found at the beginning of a curve to the right having a radius of 603.81 feet, a central angle of 16 degrees 59 minutes 58 seconds and being

subtended by a chord of 178.49 feet, bearing South 81 degrees 16 minutes 36 seconds East;

Along said curve to the right an arc distance of 179.15 feet to a point at the end of said curve;

South 72 degrees 46 minutes 37 seconds East, a distance of 100.00 feet to a 1/2 inch iron rod with found at the beginning of a curve to the left having a radius of 603.81 feet, a central angle of 15 degrees 06 minutes 05 seconds and being subtended by a chord of 158.68 feet, bearing South 80 degrees 19 minutes 40 seconds East;

Along said curve to the left an arc distance of 159.15 feet to a point at the end of said curve and being on the westerly right-of-way line of French Settlement Road;

**THENCE**, crossing French Settlement Road, South 89 degrees 09 minutes 33 seconds East, a distance of 64.12 feet to a point for a corner on the east right-of-way line of French Settlement Road as established by a street easement to the City of Dallas as recorded in Volume 82149, Page 601, D.R.D.C.T.;

**THENCE**, along the easterly right-of-way line of French Settlement Road, South 00 degrees 15 minutes 30 seconds West, a distance of 284.00 feet to a point for a corner on the north right-of-way line of La Reunion Parkway as established by said plat of Turnpike Distribution Center (Vol. 72147, Page 1690);

**THENCE**, crossing La Reunion Parkway, South 02 degrees 35 minutes 38 seconds West, a distance of 64.05 feet to a point for a corner on the south right-of-way line of La Reunion Parkway, from which a 1/2 inch iron rod found bears South 88 degrees 58 minutes 02 seconds West, a distance of 0.45 feet;

**THENCE**, along the easterly right-of-way line of French Settlement Road, South 00 degrees 15 minutes 30 seconds West, a distance of 567.81 feet to a 1/2 inch iron rod with Halff Associates cap found on the north right-of-way line of Pipestone Road as established by said plat of Turnpike Distribution Center (Vol. 72147, Page 1690);

**THENCE**, along the northerly right-of-way line of said Pipestone Road the following;

South 89 degrees 44 minutes 30 seconds East, a distance of 20.01 feet to the beginning of a curve to the right having a radius of 260.00 feet, a central angle of 22 degrees 37 minutes 12 seconds and being subtended by a chord of 101.98 feet, bearing South 78 degrees 25 minutes 54 seconds East, from which a 1/2 inch iron rod found bears North 87 degrees 32 minutes 58 seconds East, a distance of 0.52 feet;

Along said curve to the right an arc distance of 102.65 feet to a point at the beginning of a reverse curve to the left having a radius of 260.00 feet, a central angle of 22 degrees 37 minutes 12 seconds and being subtended by a chord of 101.98 feet, bearing South 78

degrees 25 minutes 54 seconds East, from which a 1/2 inch iron rod found with Halff Associates cap bears North 67 degrees 30 minutes 58 seconds East, a distance of 0.68 feet;

Along said curve to the left an arc distance of 102.65 feet to a point at the end of said curve from which a 1/2 inch iron rod found bears North 08 degrees 20 minutes 44 seconds East, a distance of 0.20 feet;

South 89 degrees 41 minutes 36 seconds East, a distance of 263.10 feet to a point for a corner;

**THENCE**, crossing Pipestone Road, South 00 degrees 18 minutes 24 seconds West, a distance of 60.00 feet to a point for a corner on the south right-of-way line of Pipestone Road and being the northeast corner of said TDC #12 tract (Vol. 81174, Page 929);

**THENCE**, along the easterly line of said TDC #12 tract, South 00 degrees 18 minutes 24 seconds West, a distance of 275.68 feet to a point for a corner on the north right-of-way line of Interstate Highway 30 as established by instrument to the Texas Turnpike Authority, recorded in Volume 4491, Page 1 and Volume 4407, Page 373, D.R.D.C.T. from which a 1/2 inch iron rod found with Halff Associates cap bears North 00 degrees 18 minutes 24 seconds East, a distance of 0.74 feet;

**THENCE**, South 06 degrees 14 minutes 18 seconds East, crossing Interstate Highway 30, a distance of 510.45 feet to a point for a corner on the southerly right-of-way line of said Interstate Highway 30 and being the northeast corner of said I-30 Distribution, L.P. tract (Instrument No. 200600125977);

**THENCE**, departing the southerly right-of-way line of said Interstate Highway 30, South 00 degrees 07 minutes 49 seconds East, along the easterly line of said I-30 Distribution tract, a distance of 1,016.60 feet to a 3/4 inch pipe found in concrete at the southwest corner of said I-30 Distribution tract (Instrument No. 200600125977 and 20080032742);

**THENCE**, North 89 degrees 56 minutes 11 seconds West, along the southerly line of said I-30 Distribution tract (Instrument No. 20080032742), a distance of 712.61 feet to an iron rod found with aluminum cap stamped Pinnacle Park No. 6 – RPLS 5230 for a corner;

**THENCE**, North 89 degrees 55 minutes 58 seconds West, continuing along the southerly line of said I-30 Distribution tract (Instrument No. 20080032742), a distance of 1980.48 feet to a point at the southwest corner of said I-30 Distribution tract (Instrument No. 20080032742);

**THENCE**, North 00 degrees 19 minutes 16 seconds East, along the westerly line of said I-30 Distribution tract (Instrument No. 20080032742), a distance of 907.27 feet to a point for a corner and being on the southerly right-of-way line of said Interstate Highway 30 (Volume 4407, Page 373);

**THENCE**, along the southerly right-of-way line of said Interstate Highway 30, North 85 degrees 26 minutes 08 seconds East, a distance of 2.61 feet to a .5/8" iron rod found at the northwest corner of said I-30 Distribution tract(Instrument No. 200600125977);

**THENCE**, crossing Interstate Highway 30, North 00 degrees 01 minutes 16 seconds East, a distance of 482.24 feet to a point for a corner on the north right-of-way line of said Interstate Highway 30, as established by instrument to the Texas Turnpike Authority, recorded in Volume 4472, Page 89, D.R.D.C.T., from which a 1/2 inch iron rod found with Halff Associates cap bears South 46 degrees 04 minutes 43 seconds East, a distance of 0.29 feet;

**THENCE**, along the northerly right-of-way line of said Interstate Highway 30 the following;

North 89 degrees 52 minutes 18 seconds West, a distance of 112.43 feet to a point for a corner;

South 75 degrees 06 minutes 32 seconds West, a distance of 822.02 feet to a point for the southeast corner of a tract of land as described instrument to the State of Texas, recorded in Volume 98147, Page 3979 and Volume 98163, Page 2625, D.R.D.C.T ;

North 14 degrees 53 minutes 28 seconds West, a distance of 25.00 feet to a point for the northeast corner of said State of Texas tract;

South 75 degrees 06 minutes 32 seconds West, a distance of 97.79 feet to a point for the northwest corner of said State of Texas tract and being on the westerly line of said Turnpike Distribution Center Phase II (Volume 82154, Page 2631);

**THENCE**, North 00 degrees 00 minutes 20 seconds East, along the westerly line of said Turnpike Distribution Center Phase II, passing a 1/2 inch iron rod found with Halff Associates cap for the common westerly corner of Block A/7202 and Block B/7202, Turnpike Distribution Center Phase II, at a distance of 714.80 feet, and passing a 1/2 inch iron rod found with Halff Associates cap for the northwest corner of Block B/7202 at a distance of 1301.30 feet, and continuing in all a distance of 2030.12 feet to a point for a corner on the southerly right-of-way line of said Union Pacific Railroad;

**THENCE**, North 76 degrees 01 minutes 30 seconds East, along the southerly right-of-way line of said Union Pacific Railroad, a distance of 2686.89 feet to a point for a corner at the northeast corner of Lot 1, Block M/7218, Turnpike Distribution Center, Phase IV, from which a 1/2 inch iron rod found with Halff Associates cap bears South 56 degrees 13 minute 26 second West, a distance of 0.13 feet;

**THENCE**, North 24 degrees 32 minutes 58 seconds East, crossing the Union Pacific Railroad right-of-way, a distance of 159.04 feet to a fence corner post found for the most southerly southwest corner of said Motiva Enterprises 27.77 acre tract;



**THENCE**, North 00 degrees 00 minutes 57 seconds East, departing the northerly right-of-way line of the Union Pacific Railroad, along a westerly line of said Motiva Enterprises 27.77 acre tract, a distance of 169.93 feet to point for a corner from which a bent 5/8" iron rod found bears North 65 degrees 16 minutes 47 seconds West, a distance of 0.71 feet;

**THENCE**, South 76 degrees 02 minutes 26 seconds West, along a southerly line of said Motiva Enterprises 27.77 acre tract, a distance of 534.36 feet to a 5/8" iron rod found with "Huitt-Zollars" cap for the most westerly southwest corner of said Motiva Enterprises 27.77 acre tract;

**THENCE**, North 00 degrees 01 minutes 10 seconds East, along the westerly line of said Motiva Enterprises 27.77 acre tract, a distance of 452.32 feet to a point for a corner;

**THENCE**, South 89 degrees 57 minutes 22 seconds East, continuing along the westerly line of said Motiva Enterprises 27.77 acre tract, a distance of 521.58 feet to a 5/8" iron rod found with "Huitt-Zollars" cap for a corner;

**THENCE**, North 00 degrees 12 minutes 36 seconds East, continuing along the westerly line of said Motiva Enterprises 27.77 acre tract, a distance of 824.65 feet to a point for a corner on the southerly right-of-way line of Singleton Boulevard (variable width right-of-way) as established by instrument to Dallas County, recorded in Volume 84143, Page 3894, D.R.D.C.T.;

**THENCE**, North 00 degrees 12 minutes 36 seconds East, crossing Singleton Boulevard, a distance of 97.32 feet to a point for a corner on the northerly right-of-way line of Singleton Boulevard (variable width right-of-way) as established by instrument to Dallas County, recorded in Volume 84113, Page 1991, D.R.D.C.T.;

**THENCE**, North 89 degrees 47 minutes 12 seconds East, along the northerly right-of-way line of Singleton Boulevard, a distance of 381.17 feet to a point for a corner;

**THENCE**, North 00 degrees 14 minutes 28 seconds West, a distance of 0.95 feet to a point for a corner on the northerly right-of-way line of Singleton Boulevard (variable width right-of-way) as established by instrument to Dallas County, recorded in Volume 84090, Page 5169, D.R.D.C.T.;

**THENCE**, North 89 degrees 53 minutes 23 seconds East, along the northerly right-of-way line of Singleton Boulevard, a distance of 300.00 feet to a 5/8 inch iron rod found with cap on the northerly right-of-way line of Singleton Boulevard (variable width right-of-way) as established by instrument to Dallas County, recorded in Volume 83214, Page 421, D.R.D.C.T.;

**THENCE**, North 89 degrees 58 minutes 15 seconds East, along the northerly right-of-way line of Singleton Boulevard, a distance of 150.60 feet to a point for a corner;

**THENCE**, South 00 degrees 24 minutes 09 seconds West, crossing Singleton Boulevard, a distance of 99.74 feet to the POINT OF BEGINNING and containing 298.558 acres of land, more or less.

Save and Except the following two tracts of land;

**SAVE & EXCEPT TRACT 1**  
**LAND DESCRIPTION**  
**2.798 Acres**

**BEING** a 2.798 acre tract of land situated in the Thomas Cheshire Survey, Abstract No. 251, City of Dallas, Dallas County Texas, and being part of the Union Pacific Railroad (no deed of record found) and being more particularly described as follows;

**COMMENCING** at a 1/2" iron rod found with Vogt cap on the southerly right-of-way line of Singleton Boulevard (variable width right-of-way) as established by instrument to Dallas County, recorded in Volume 84143, Page 3894, D.R.D.C.T., and being the northwest corner of Lot 6, Block A/7215 of the Pfeil Addition, an addition to the City of Dallas as recorded in Volume 93181, Page 2170, Deed Records of Dallas County, Texas, (D.R.D.C.T.), the same being the northeast corner of a tract of land as described in instrument to Motiva Enterprises as recorded in Volume 98213, Page 3597 D.R.D.C.T.;

**THENCE**, South 00 degrees 24 minutes 09 seconds West along the westerly line of the Pfeil Addition, and along the easterly line of said Motiva Enterprises tract, a distance of 1,111.59 feet to a 5/8" iron rod found with "Huitt-Zoliars" cap for the southeast corner of said Motiva Enterprises tract, and being on the northerly right-of-way line of the Union Pacific Railroad (125 foot right-of-way) and being the **POINT OF BEGINNING**;

**THENCE**, South 64 degrees 05 minute 49 second East, crossing the Union Pacific Railroad right-of-way, a distance of 194.25 feet to a point at the intersection of the southerly right-of-way line of the Union Pacific Railroad with the westerly right-of-way line of French Settlement Road (a 70 foot right-of-way at this point) as established by said plat of Turnpike Distribution Center, Phase III, from which a 1/2 inch iron rod found with Halff Associates cap bears North 40 degrees 35 minute 07 second West, a distance of 0.36 feet;

**THENCE**, South 76 degrees 01 minutes 30 seconds West, along the southerly right-of-way line of the Union Pacific Railroad, a distance of 1103.29 feet to a point for a corner at the northeast corner of Lot 1, Block M/7218, Turnpike Distribution Center, Phase IV, from which a 1/2 inch iron rod found with Halff Associates cap bears South 56 degrees 13 minute 26 second West, a distance of 0.13 feet;

**THENCE**, North 24 degrees 32 minutes 58 seconds East, crossing the Union Pacific Railroad right-of-way, a distance of 159.04 feet to a fence corner post found for the most southerly southwest corner of said Motiva Enterprises tract and being on the northerly right-of-way line of the Union Pacific Railroad;

**THENCE**, North 76 degrees 01 minutes 00 seconds East, along the northerly right-of-way line of the Union Pacific Railroad, a distance of 855.16 feet to the POINT OF BEGINNING and containing 2.798 acres of land more or less.

**SAVE & EXCEPT TRACT 2**  
**LAND DESCRIPTION**  
**22.407 Acres**

**BEING** a 22.407 acre tract of land situated in the Thomas Cheshire Survey, Abstract No. 251, City of Dallas, Dallas County, Texas and being a portion of Interstate Highway 30 as established by deed to the Texas Turnpike Authority, recorded in Volume 4407, Page 373 and Volume 4491, Page 1, and by deed to the State of Texas, recorded in Volume 2001151, Page 2343, Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows;

**BEGINNING** at a 5/8 inch iron rod found at the northwest corner of a tract of land as described in instrument to I-30 Distribution, L.P. as recorded in recorded in Instrument No. 200600125977, (D.R.D.C.T.) and being on the southerly right-of-way line of said Interstate Highway 30 (Volume 4407, Page 373);

**THENCE**, crossing Interstate Highway 30, North 00 degrees 01 minutes 16 seconds East, a distance of 482.24 feet to a point for a corner on the north right-of-way line of said Interstate Highway 30, as established by instrument to the Texas Turnpike Authority, recorded in Volume 4472, Page 89, D.R.D.C.T., from which a 1/2 inch iron rod found with Halff Associates cap bears South 46 degrees 04 minutes 43 seconds East, a distance of 0.29 feet;

**THENCE**, along the northerly right-of-way line of Interstate Highway 30 the following;

South 84 degrees 25 minutes 40 seconds East, a distance of 159.94 feet to a point for a corner from which a wooden post found bears North 19 degrees 55 minutes 39 seconds East, a distance of 4.44 feet and being the beginning of a non-tangent curve to the right having a radius of 5899.58 feet, a central angle of 13 degrees 29 minutes 31 seconds and being subtended by a chord of 1,386.03 feet, bearing North 84 degrees 56 minutes 52 seconds East;

Along said curve to the right an arc distance of 1389.23 feet to a point at the end of said curve from which a wooden post found bears North 54 degrees 34 minutes 06 seconds East, a distance of 3.78 feet;

North 88 degrees 34 minutes 01 seconds East, a distance of 543.51 feet to a point for a corner;

North 88 degrees 35 minutes 58 seconds East, a distance of 57.13 feet to a point for a corner from which an iron rod with aluminum cap found bears North 59 degrees 35 minutes 39 seconds East, a distance of 0.92 feet ;

South 77 degrees 29 minutes 41 seconds East, a distance of 218.97 feet to a point for a corner;

North 78 degrees 12 minutes 10 seconds East, a distance of 279.29 feet to a point for a corner, from which a 1/2 inch iron rod found with Halff Associates cap bears North 00 degrees 18 minutes 24 seconds East, a distance of 0.74 feet;

THENCE, crossing Interstate Highway 30, South 06 degrees 14 minutes 18 seconds East, a distance of 510.45 feet to a point for a corner on the south right-of-way line of said Interstate Highway 30 (Volume 2001151, Page 2343) and being the northeast corner of said I-30 Distribution, L.P. tract;

THENCE, along the southerly right-of-way line of said Interstate Highway 30 the following;

North 85 degrees 58 minutes 56 seconds West, a distance of 125.45 feet to an iron rod with aluminum cap found;

North 79 degrees 46 minutes 15 seconds West, a distance of 579.56 feet to a point for a corner on the southerly right-of-way line of Interstate Highway 30 as established by instrument to the Texas Turnpike Authority, recorded in Volume 4407, Page 373, D.R.D.C.T.;

North 83 degrees 36 minutes 37 seconds West, a distance of 460.18 feet to a 5/8 inch iron rod found;

South 87 degrees 40 minutes 15 seconds West, a distance of 666.66 feet to an iron rod with aluminum cap found;

South 80 degrees 45 minutes 51 seconds West, a distance of 665.22 feet to a 5/8 inch iron rod found;

South 56 degrees 56 minutes 43 seconds West, a distance of 247.65 feet to the POINT OF BEGINNING and containing 22.407 acres of land, more or less.

Area Summary:

Overall Tract	298.558 Acres
Save & Except Tract 1	2.798 Acres
Save & Except Tract 2	<u>22.407 Acres</u>
<b>Total Area</b>	<b>273.353 Acres (273.4 Acres)</b>

Basis of Bearing/Directional Control: The monuments called for as "found" in this metes and bounds description as related to the final plats of Turnpike Distribution Center, recorded in Volume 72147, Page 1690, Turnpike Distribution Center Phase II, recorded in Volume 82154, Page 2631, Turnpike Distribution Center Phase III, recorded in Volume 85167, Page 5066 and Turnpike Distribution Center Phase IV, recorded in Volume 88083, Page 5040, all of the Deed Records of Dallas County, Texas.

For Huitt-Zollars, Inc.



Eric J. Yahoudy  
Registered Professional Land Surveyor  
Texas Registration No. 4862  
Huitt-Zollars, Inc.  
3131 McKinney Ave.  
Suite 600  
Dallas, Texas 75204  
Tele. 214-871-3311



Date: February 7, 2008

SAVE & EXCEPT TRACT 1

273.4 ACRES (NET)

INTERSTATE 30  
SAVE & EXCEPT TRACT 2

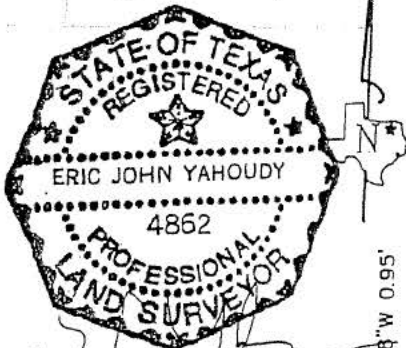


**HUITT-ZOLIARS**  
Huitt-Zoliars, Inc. Dallas  
2424 McKinney Avenue, Suite 600

BOUNDARY SURVEY FOR  
MUNICIPAL SETTING DESIGNATION  
BEING 273.4 ACRES OUT OF CITY  
BLOCKS 7202, 7214, 7215 & 7218

Land Description Exhibit: Index Map  
City Block: 7202, 7214, 7215 & 7218  
Drawing Scale: 1" = 800'

Industrial / Manufacturing District  
 ESTES TERMINALS OF TEXAS LLC  
 Vol. 2004021 Pg. 01841  
 (20.024 Ac. Rem.)



Industrial / Manufacturing District  
 NAMASCO METALS, LP  
 Vol. 2003007 Pg. 0513  
 (7.3295 Ac.)

FEATHERLITE ADDITION  
 Vol. 97176 Pg. 0878  
 Lot 1  
 Block A/7153

EAGLE FORD GARDENS  
 Vol. 8 Pg. 195  
 Block C/7152

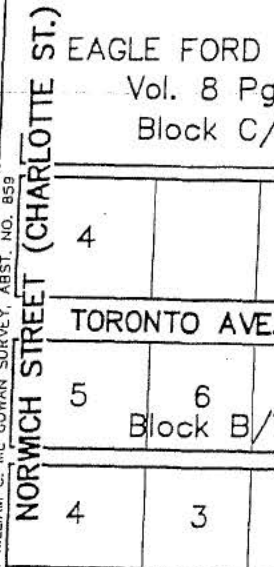
WILLIAM C.  
 M C GOWEN SURVEY  
 ABST. NO. 859

COUNTY OF DALLAS  
 Vol. 84113 Pg. 1991  
 N 00°12'36"E 97.32'  
 N 00°14'28"W 0.95'

COUNTY OF DALLAS  
 Vol. 84090 Pg. 5169  
 5/8" IRON ROD FOUND  
 N 89°53'23"E 300.00'

COUNTY OF DALLAS  
 Vol. 83214 Pg. 0421  
 N 89°58'15"E 150.60'

D. A. LEARNED SURVEY, ABST. NO. 771  
 WILLIAM C. Mc GOWAN SURVEY, ABST. NO. 859

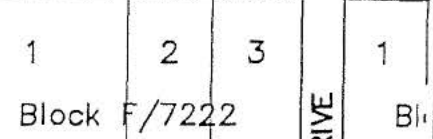


SINGLETON BLVD. (VARIABLE R.O.W.)  
 COUNTY OF DALLAS Vol. 84143 Pg. 3894  
 S 00°24'09"W 99.74'  
 POINT OF BEGINNING  
 1/2" IRON ROD FOUND WITH "VOGT" CAP  
 POINT OF COMMENCING - S & E. TRACT 1  
 GARY PFEIL Vol. 2003001 Pg. 5713  
 GARY A. PFEIL Vol. 94172 Pg. 1267  
 EXPLORER PIPELINE CO. Vol. 72030 Pg. 1790 (Pipeline Right-of-Way) (Centerline Easement)  
 GARY ARTHUR PFEIL Vol. 94040 Pg. 6040  
 THOMAS CHESHIRE SURVEY ABST. NO. 251  
 THOMAS CHESHIRE SURVEY, ABST. NO. 251  
 THACKER V. GRIFFIN SURVEY, ABST. NO. 511  
 THACKER V. GRIFFIN SURVEY, ABST. NO. 511

THACKER V. GRIFFIN SURVEY  
 ABST. NO. 511  
 Block A/7222  
 GRAY'S ADDITION  
 Vol. 1 Pg. 459

THOMAS CHESHIRE SURVEY  
 ABST. NO. 251

BEDFORD STREET (ALICE ST.)



Block F/7222

Block 7221  
 CHARLES W. DAMS, TRUSTEE OF THE DAMS FAMILY TRUST  
 Vol. 2000250 Pg. 3205 (76.39% INT.)  
 (2.395 Ac.)  
 CHARLES W. DAMS Vol. 5878 Pg. 105  
 Industrial / Manufacturing District

UNION PACIFIC R.R.  
 N 76°01'30"E 984.17'

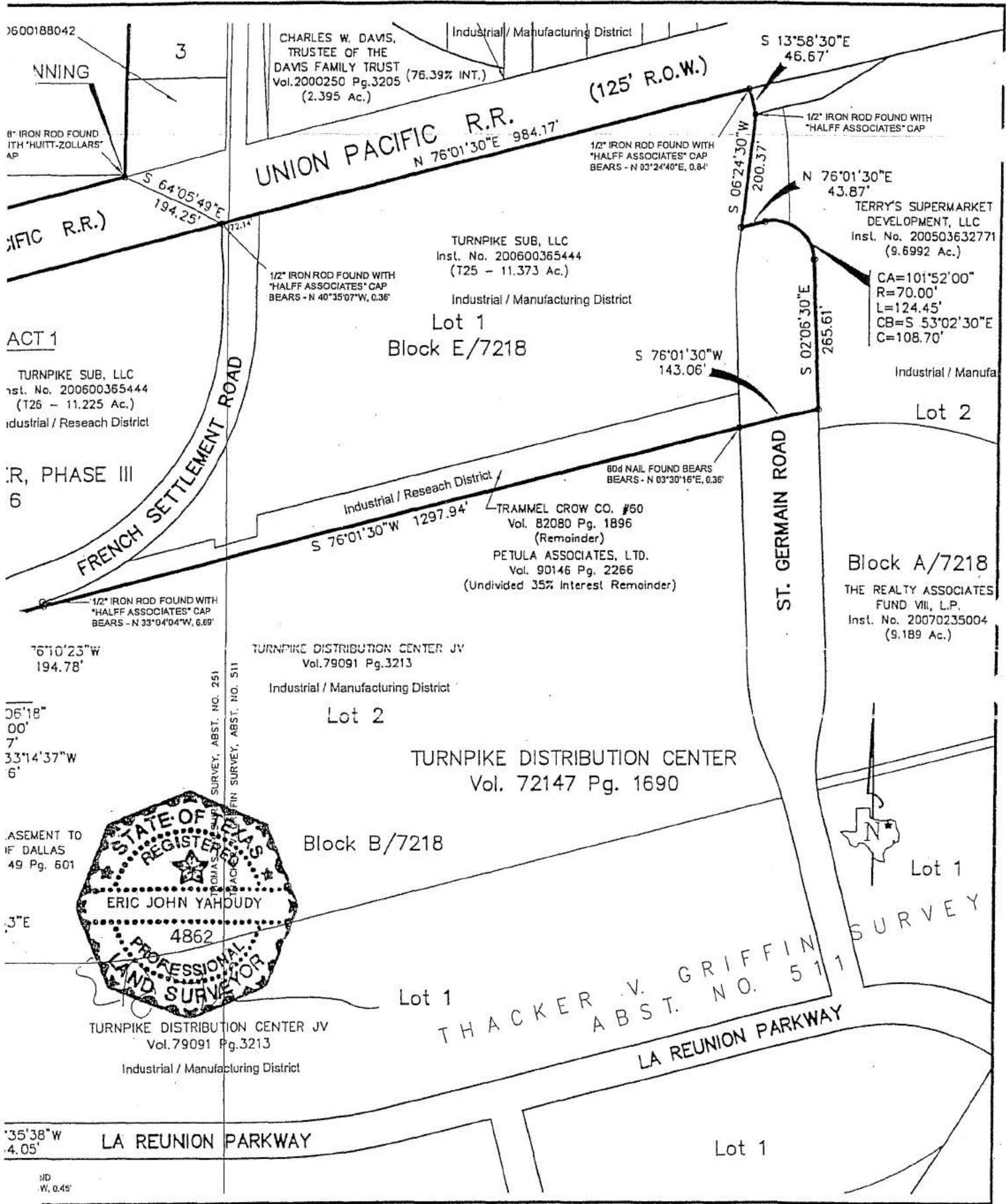
10°57'E 3.93'  
 FENCE CORNER POST FOUND

POINT OF BEGINNING  
 SAVE & EXCEPT TRACT 1  
 5/8" IRON ROD FOUND WITH "HUITT-ZOLIARS" CAP

EXPLORER PIPELINE CO.  
 Vol. 72030 Pg. 1790  
 (Surface rights only)

Industrial / Manufacturing District  
 MOTIVA ENTERPRISES LLC  
 Vol. 98213 Pg. 3597  
 (27.77 Ac.)

THE NTH DEGREE INC.  
 Inst. No. 200600188042



CHARLES W. DAMS,  
TRUSTEE OF THE  
DAMS FAMILY TRUST  
Vol. 2000250 Pg. 3205 (76.39% INT.)  
(2.395 Ac.)

UNION PACIFIC R.R. (125' R.O.W.)  
N 76°01'30"E 984.17'

TURNPIKE SUB, LLC  
Inst. No. 200600365444  
(725 - 11.373 Ac.)

Lot 1  
Block E/7218

TERRY'S SUPERMARKET  
DEVELOPMENT, LLC  
Inst. No. 200503632771  
(9.6992 Ac.)

CA=101°52'00"  
R=70.00'  
L=124.45'  
CB=S 53°02'30"E  
C=108.70'

Industrial / Manufacturing District

Industrial / Manufa

Lot 2

TRAMMEL CROW CO. #60  
Vol. 82080 Pg. 1896  
(Remainder)  
PETULA ASSOCIATES, LTD.  
Vol. 90146 Pg. 2266  
(Undivided 35% Interest Remainder)

Block A/7218

THE REALTY ASSOCIATES  
FUND VII, L.P.  
Inst. No. 20070235004  
(9.189 Ac.)

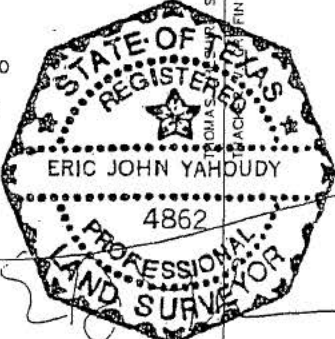
TURNPIKE DISTRIBUTION CENTER JV  
Vol. 79091 Pg. 3213

Industrial / Manufacturing District

Lot 2

TURNPIKE DISTRIBUTION CENTER  
Vol. 72147 Pg. 1690

Block B/7218



TURNPIKE DISTRIBUTION CENTER JV  
Vol. 79091 Pg. 3213

Industrial / Manufacturing District

THACKER V. GRIFFIN  
ABST. NO. 511

Lot 1

SURVEY

LA REUNION PARKWAY

Lot 1

LA REUNION PARKWAY

**HUITT-ZOLLARS**  
Huitt-Zollars, Inc. Dallas  
3131 McKinney Avenue, Suite 600  
Dallas, Texas 75204-2489

BOUNDARY SURVEY FOR  
MUNICIPAL SETTING DESIGNATION  
BEING 273.4 ACRES OUT OF CITY  
BLOCKS 7202, 7214, 7215, & 7218,  
DALLAS COUNTY, TEXAS

Land Description Exhibit: Boundary Map  
City Block: E / 7218, N / 7218  
Graphic Scale in Feet 0 100 250



THE NTH DEGREE INC.  
Inst. No. 200600188042

POINT OF BEGINNING  
SAVE & EXCEPT TRACT 1

EXPLORER PIPELINE CO.  
Vol. 72030 Pg. 1790  
(Surface rights only)

5/8" IRON ROD FOUND  
WITH 'HUITT-ZOLLARS' CAP

Block 7215

Light Industrial District

N 00°01'10"E  
452.32'

THOMAS CHESHIRE  
SURVEY  
ABST. NO. 251

BENT 5/8" IRON ROD FOUND  
WITH 'HUITT-ZOLLARS' CAP  
BEARS - N 85°16'47"W, 0.71'

5/8" IRON ROD FOUND  
WITH 'HUITT-ZOLLARS' CAP

S 76°02'26"W 534.36'  
MAGELLAN PIPELINE  
TERMINALS, L.P.  
Inst. No. 20070160733  
(Tr. 2 - 2.025 Ac.)

FENCE CORNER POST FOUND

N 76°01'00"E 855.16'  
(formerly TEXAS & PACIFIC R.R.)  
S 76°01'30"W 1103.29'

SAVE & EXCEPT TRACT 1  
2.798 AC.

(125' R.O.W.) UNION PACIFIC R.R.

1/2" IRON ROD FOUND WITH  
'HALFF ASSOCIATES' CAP  
BEARS - S 56°13'26"W, 0.13'

Lot 1  
Block N/7218 Industrial / Resear

TURNPIKE S.I.  
Inst. No. 2006  
(T26 - 11.2)

TRAMMEL CROW CO. #60  
Vol. 82093 Pg. 3000  
(Remainder)  
PETULA ASSOCIATES, LTD.  
Vol. 90146 Pg. 2266  
(Undivided 35% Interest Remainder)  
Industrial / Reseach District

TURNPIKE DISTRIBUTION CENTER, PHAS  
Vol. 85167 Pg. 5066

Lot 1  
Block M/7218

ENTER, PHASE IV  
5040

1/2" IRON ROD FOUND WITH  
'HALFF ASSOCIATES' CAP

N 89°46'51"W  
58.50'

S 76°10'23"  
194.78'

1/2" CUT IN CONCRETE  
FOUND

S 76°00'23"W 496.39'  
N 14°02'51"W 69.51'  
S 00°15'17"W 333.45'

1/2" IRON ROD FOUND WITH  
'HALFF ASSOCIATES' CAP

S 75°57'08"W 291.60'  
N 00°13'09"E 11.24'

CA=11°06'18"  
R=345.00'  
L=66.87'  
CB=S 33°14'37"W  
C=66.76'

COUNTY OF DALLAS, TX  
Vol. 92067 Pg. 5911  
(7.9323 Ac.)

Block D/7214  
Industrial / Manufacturing District

CA=15°06'05"  
R=603.81'  
L=159.15'  
CB=S 80°19'40"E  
C=158.68'

STREET EASEMENT TO  
CITY OF DALLAS  
Vol. 82149 Pg. 601

S 89°46'35"E 372.43'

1/2" IRON ROD FOUND WITH  
'HALFF ASSOCIATES' CAP

S 72°46'37"E  
100.00'

S 89°09'33"E  
64.12'

LIT-DEANSBANK No. 8  
Vol. 2003051 Pg. 4057  
(11.2372 Ac.)

Block C/7214  
Industrial / Manufacturing District

CA=16°59'58"  
R=603.81'  
L=179.15'  
CB=S 81°16'36"E  
C=178.49'

FRENCH SETTLEMENT RD.

S 00°15'30"W 284.00'

S 02°35'38"W  
64.05'

1/2" IRON ROD FOUND  
BEARS - S 80°58'02"W, 0.45'

LA REUNION PARKWAY



3 District  
LC  
5444  
)  
14

Block A/7214

TURNPIKE

)  
I2

FRENCH SETTLEMENT RD.

LA REUNION PARKWAY

Block C/7218

PIPESTONE ROAD

Block D/7218

INTERSTATE 30

BURLINGTON NORTHERN RAILROAD COMPANY

Industrial / Research District

TURNPIKE DISTRIBUTION CENTER JV  
Vol. 79091 Pg. 3213  
Industrial / Manufacturing District

TURNPIKE SUB, LLC  
Insl. No. 200600365444  
(T17- 4.894 Ac.)

1/2" IRON ROD FOUND WITH  
'HALFF ASSOCIATES' CAP  
1/2" IRON ROD FOUND WITH  
'HALFF ASSOCIATES' CAP  
BEARS - N 87°32'58"E, 0.92'

IRON ROD FOUND  
BEARS - N 08°20'44"E, 0.20'

City of Dallas, Texas  
Street Esm't. - Vol. 82064, Pg. 3003  
TDC #12, LTD.  
Vol. 2004239, Pg. 4745

TDC #12, LTD.  
Vol. 81174, Pg. 929  
Industrial / Manufacturing District

TEXAS TURNPIKE AUTHORITY  
Vol. 4491 Pg. 1 (1.183 Ac.)

ST. GERMAIN HOLDINGS, LTD.  
Vol. 2001087, Pg. 4532

Industrial / Manufacturing District

WOODEN POST FOUND  
BEARS - N 64°34'06"E, 3.78'  
N 88°35'58"E  
57.13'

IRON ROD FOUND WITH  
ALUMINUM CAP BEARS -  
N 59°35'39"E, 0.92'

TEXAS TURNPIKE AUTHORITY  
Vol. 4407 Pg. 373  
(21.2907 Ac.)

STATE OF TEXAS  
Vol. 2001151, Pg. 2343  
(0.3608 Ac.)

LOUPOT PARTNERS LIMITED  
Vol. 71082, Pg. 478  
(1.755 Ac.)  
(undivided 1/3 interest)

TXI OPERATIONS, LP  
Vol. 98087, Pg. 8888  
Industrial / Research District

IRON ROD FOUND WITH  
ALUMINUM CAP

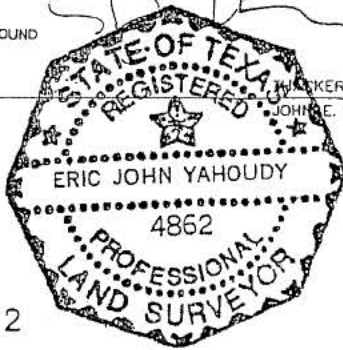
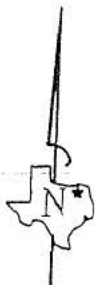
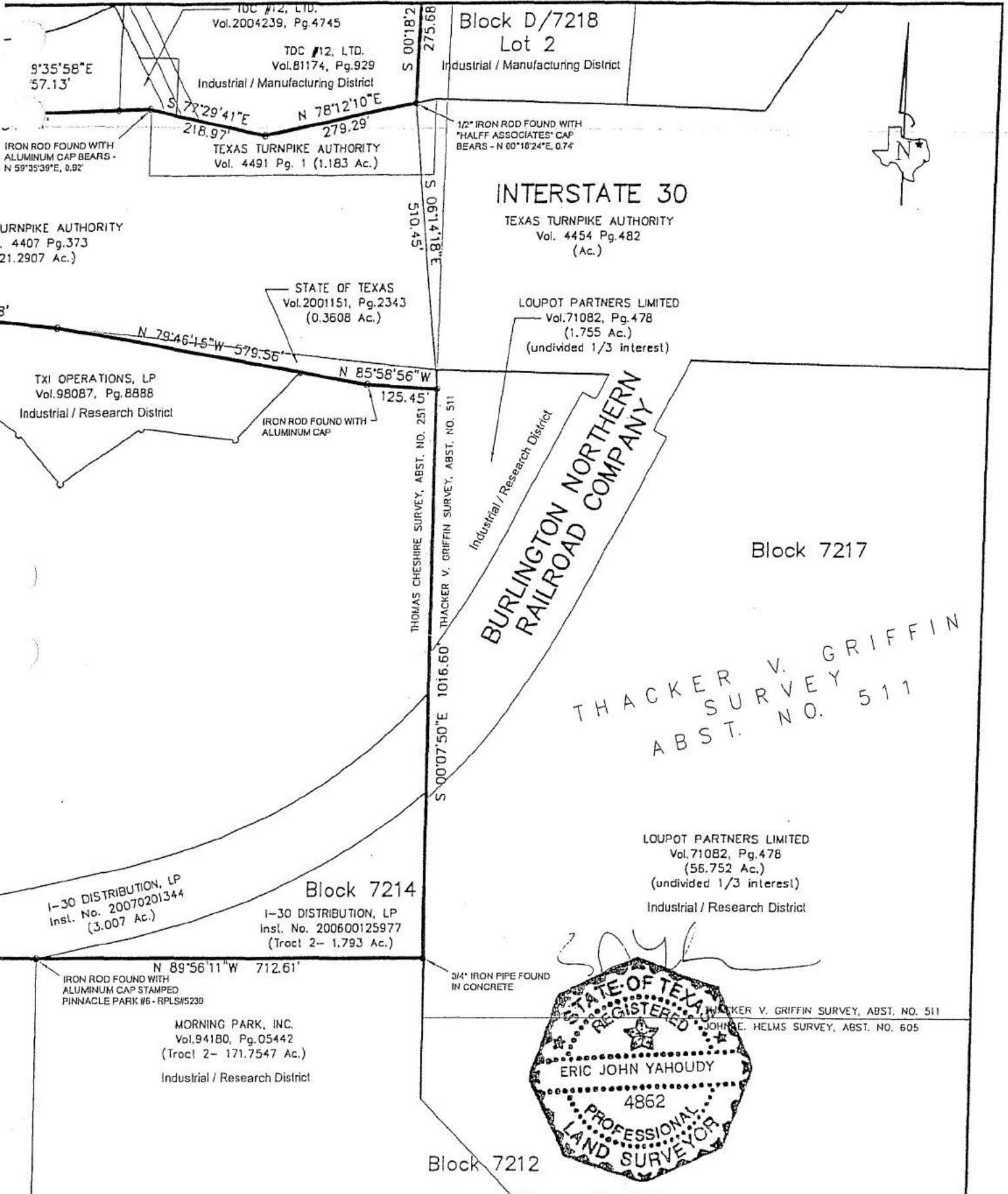


THOMAS CHESHIRE SURVEY, ABST. NO. 251  
THACKER V. GRIFFIN SURVEY, ABST. NO. 511

HUITT-ZOLIARS  
Huitt-Zollars, Inc. Dallas  
3131 McKinney Avenue, Suite 600  
Dallas, Texas 75204-2489

BOUNDARY SURVEY FOR  
MUNICIPAL SETTING DESIGNATION  
BEING 273.4 ACRES OUT OF CITY  
BLOCKS 7202, 7214, 7215, & 7218,

Land Description Exhibit: Boundary Map  
City Block: A / 7214, C / 7214, D / 7214  
Graphic Scale in Feet



PIPESTONE ROAD

PETULA ASSOCIATES, LTD.  
Vol. 90146 Pg. 2266  
(Undivided 35% Interest Remainder)

WOODEN POST FOUND  
BEARS - N 54°34'06"E, 3.76'

N 88°35'58"E  
57.13'

TOC #12, L  
Vol. 2004239, P

TDC  
Vol. 8

Industrial / Manufad

N 88°34'01"E 543.51'

S 72°29'41"E  
218.97'

IRON ROD FOUND WITH  
ALUMINUM CAP BEARS -  
N 69°35'39"E, 0.92'

TEXAS TURNPIKE  
Vol. 4491 Pg.

# DALLAS - FORT WORTH TURNPIKE INTERSTATE 30

SAVE & EXCEPT TRACT 2  
22.407 AC.

TEXAS TURNPIKE AUTHORITY  
Vol. 4407 Pg. 373  
(21.2907 Ac.)

CA=13°29'31"  
R=5899.58'  
L=1389.23'  
CB=N 84°56'52"E  
C=1386.03'

S 87°40'15"W 666.66'

N 83°36'37"W 460.18'

N 79°46'45"W 579.56'

IRON ROD FOUND WITH  
ALUMINUM CAP

5/8" IRON ROD FOUND

TXI OPERATIONS, LP  
Vol. 98087, Pg. 8888  
Industrial / Research District

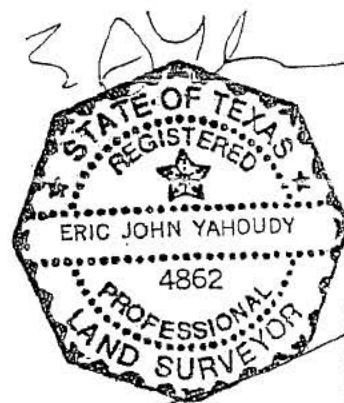
IRON  
ALUM

Block 7214

Industrial / Research District

I-30 DISTRIBUTION, LP  
Inst. No. 200600125977  
(Tract 1 - 60.728 Ac.)

THOMAS CHESHIRE SURVEY  
ABST. NO. 251



I-30 DISTRIBUTION, LP  
Inst. No. 20070201344  
(3.007 Ac.)

THOMAS CHESHIRE SURVEY, ABST. NO. 251

N 89°55'56"W 1980.48'

JOHN E. HELMS SURVEY, ABST. NO. 605

N 89°56'11"W 712'

IRON ROD FOUND WITH  
ALUMINUM CAP STAMPED  
PINNACLE PARK #6 - RPLS#5230

MORNING PARK,  
Vol. 94180, Pg. 05-  
(Tract 2 - 171.7547  
Industrial / Research

PINNACLE WEST LAND, LP  
Vol. 2002026, Pg. 5766

JOHN E. HELMS SURVEY  
ABST. NO. 605

PINNACLE PARK NO. 6 ADD.  
Vol. 2004040 Pg. 00447

Lot 2  
Block K/7212  
Industrial / Research District

**HUITT-ZOLIARS**  
Huitt-Zoliars, Inc. Dallas  
3131 McKinney Avenue, Suite 600  
Dallas, Texas 75204-2489

BOUNDARY SURVEY FOR  
MUNICIPAL SETTING DESIGNATION  
BEING 273.4 ACRES OUT OF CITY  
BLOCKS 7202, 7214, 7215, & 7218,

Land Description Exhibit: Boundary Map  
City Block: 7214

Graphic Scale in Feet

TURNPIKE SUB, LLC  
Inst. No. 200600365444  
(T28- 12.586 Ac.)  
(minus 0.0530 Ac. R.O.W.)

Block A/7202

Planned Development District

TRAMMEL CROW CO. #60  
Vol. 80245 Pg. 2779  
(Remainder)

Block J/7214

Industrial / Manufacturing District

TURNPIKE WEST, LLC  
Vol. 2005124 Pg. 0116

HORACE BURNHAM SURVEY, ABST. NO. 106  
PHILEMON LACY SURVEY, ABST. NO. 776

S 75°06'32"W 97.79'  
N 14°53'28"W 25.00'

N 89°52'18"W 112.43'

WOODEN POST FOUND  
BEARS - N 16°55'39"E, 4.44'

1/2" IRON ROD FOUND WITH  
"HALFF ASSOCIATES" CAP  
BEARS - S 46°04'43"E, 0.29'

S 84°25'40"E 159.94'

INTERSTATE 30

STATE OF TEXAS  
Vol. 98147, Pg. 3979  
Vol. 98163, Pg. 2625  
(0.0530 Ac.)

TEXAS TURNPIKE AUTHORITY  
Vol. 4472, Pg. 89  
(26.3925 Ac.)

N 85°26'08"E 2.61'

N 00°01'16"E 482.24'  
PHILEMON LACY SURVEY, ABST. NO. 776

THOMAS CHESHIRE SURVEY, ABST. NO. 251

S 80°45'51"W 665.22'

56°56'43"W 247.65'

5/8" IRON ROD FOUND

CITY OF DALLAS  
Vol. 98111, Pg. 8075  
(2.949 Ac.)

5/8" IRON ROD FOUND  
POINT OF BEGINNING  
SAVE & EXCEPT TRACT 2

USAA REAL ESTATE COMPANY  
Vol. 2000156, Pg. 6703

El Composito de  
Cemento Grande de la  
Compania Trinity Portland  
Vol. 87098, Pg. 2374  
(2.6 Ac.)

Lot 1  
Block A/7211

Industrial / Research District

SBC/PINNACLE PARK ADD.  
Vol. 2002117 Pg. 00021

PHILEMON LACY SURVEY  
ABST. NO. 776

MORNING PARK, INC.  
Vol. 94180, Pg. 05442

Lot 2  
Block A/7211

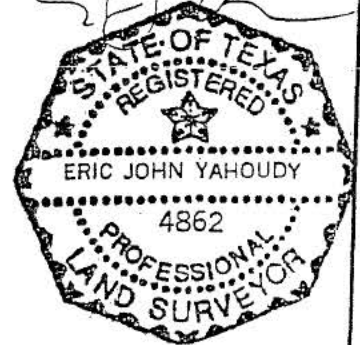
Industrial / Research District

N 00°19'16"E 479.58'  
N 00°19'16"E 907.27'

86.78'  
340.91'

1/2" IRON ROD FOUND WITH  
"HALFF ASSOCIATES" CAP

I-30 DISTRIBUTION, LP  
Inst. No. 20080032742  
(0.1516 Ac.)



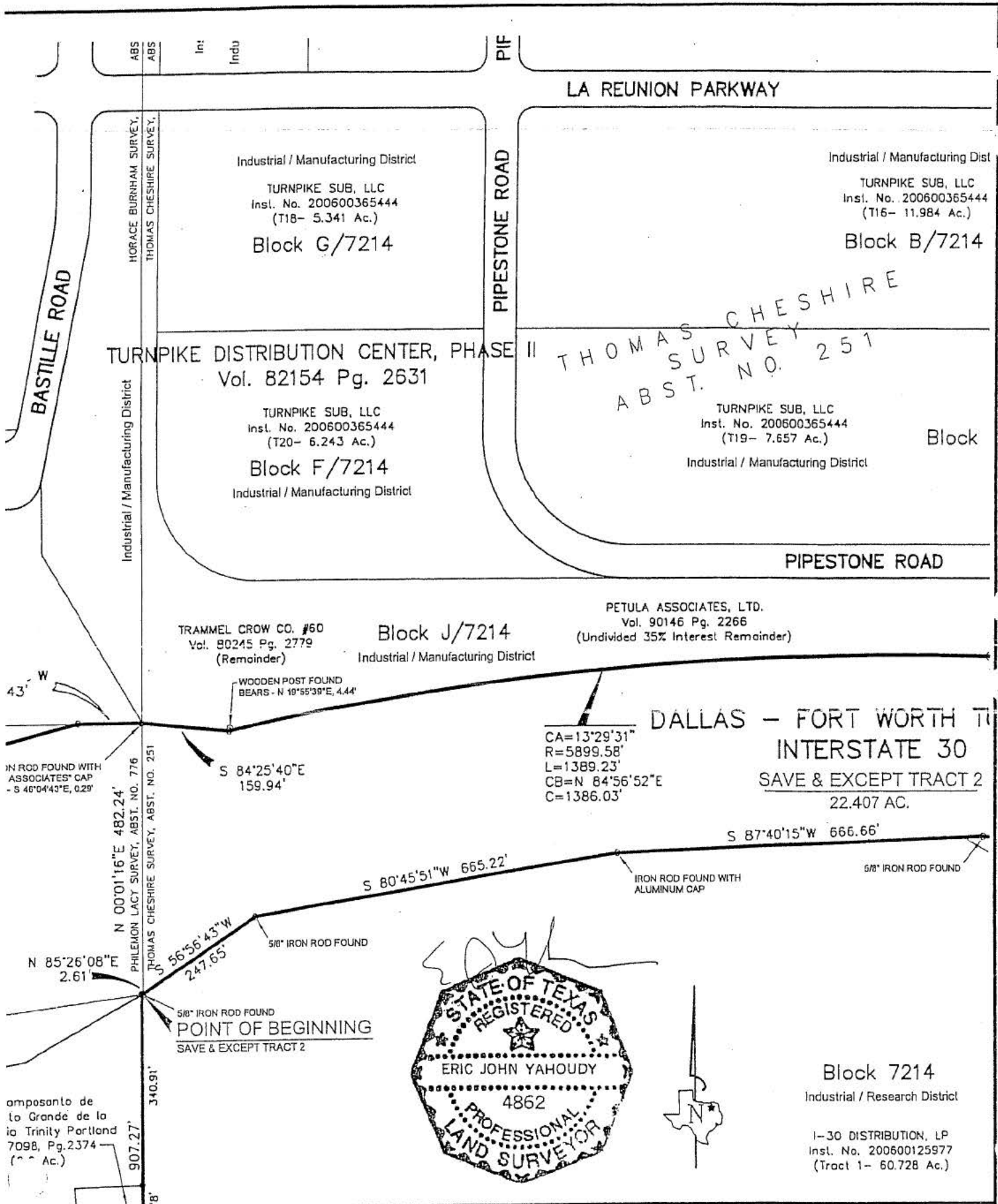
TR PINNACLE CORP.  
Inst. No. 200503630322

Lot 1  
Block K/7212

Industrial / Manufacturing District

PARK, INC.  
Pg. 05442  
(4)

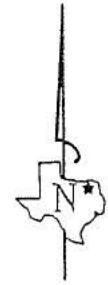
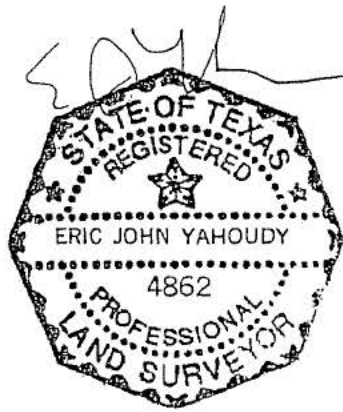
PIN



**HUITT-ZOLIARS**  
 Huitt-Zollars, Inc. Dallas  
 3131 McKinney Avenue, Suite 600  
 Dallas, Texas 75204-2489

BOUNDARY SURVEY FOR  
**MUNICIPAL SETTING DESIGNATION**  
 BEING 273.4 ACRES OUT OF CITY  
 BLOCKS 7202, 7214, 7215, & 7218,

Land Description Exhibit: Boundary Map  
 City Block: 7214, A-B, F-G, J/7214  
 Graphic Scale in Feet



Block 7214  
 Industrial / Research District  
 I-30 DISTRIBUTION, LP  
 Inst. No. 200600125977  
 (Tract 1- 60.728 Ac.)

(150' R.O.W.)

TURNPIKE WEST, LLC  
Vol. 2004230 Pg. 9010

Lot 1  
Block E/7202  
Industrial / Manufacturing District

TURNPIKE WEST NEC  
Inst. No. 200600433117

TRAMMEL CROW CO. #60  
Vol. 82093 Pg. 3000  
(Remainder)  
PETULA ASSOCIATES, LTD.  
Vol. 90146 Pg. 2266  
(Undivided 35% Interest Remainder)

Block C/7202  
Planned Development District  
TURNPIKE SUB, LLC  
Inst. No. 200600365444  
(T27- 13.222 Ac.)

HORACE A BURNHAM SURVEY  
ABST. NO. 106

BASTILLE ROAD

Block K/7214 Industrial / N  
ABST. NO. 105  
ABST. NO. 251

LA REUNION PARKWAY

12" IRON ROD FOUND WITH  
"HALFF ASSOCIATES" CAP

TURNPIKE WEST SEC  
Inst. No. 200600433118

Lot 1  
Block F/7202  
Industrial / Manufacturing District

TURNPIKE WEST, LLC  
Vol. 2005124 Pg. 0116

Industrial / Manufacturing District  
TURNPIKE SUB, LLC  
Inst. No. 200600365444  
(T22, 23 & 24 - 11.007 Ac.)  
Block B/7202

N 00°00'20"E 2030.12'  
586.50

HORACE BURNHAM SURVEY,  
THOMAS CHESHIRE SURVEY,

BASTILLE ROAD

TURNPI  
Industrial / Manufacturing District

COCKRELL HILL ROAD

TURNPIKE WEST SEC NO. 2  
Inst. No. 20070175053  
Lot 2F Lot 2E

Block F/7202  
Lot 2D

Lot 2C

Lot 2B

Lot 2A

1/2" IRON ROD FOUND

COCKRELL HILL  
HOSPITALITY, LLC  
Inst. No. 20070332434

TURNPIKE SUB, LLC  
Inst. No. 200600365444  
(T2B- 12.586 Ac.)  
(minus 0.0530 Ac. R.O.W.)

Block A/7202  
Planned Development District

TURNPIKE WEST, LLC  
Vol. 2005124 Pg. 0116

HORACE BURNHAM SURVEY, ABST. NO. 106  
PHILEMON LACY SURVEY, ABST. NO. 776

N 89°52'18"W  
112.43'

S 75°06'32"W  
97.79'  
N 14°53'28"W  
25.00'

S 75°06'32"W 822.02'

12" IRON ROD FOUND WITH  
"HALFF ASSOCIATES" CAP  
BEARS - S 46°04'43"E, 0.29'

11°16'E 482.24'  
SURVEY, ABST. NO. 776  
RE SURVEY, ABST. NO. 251

STATE OF TEXAS

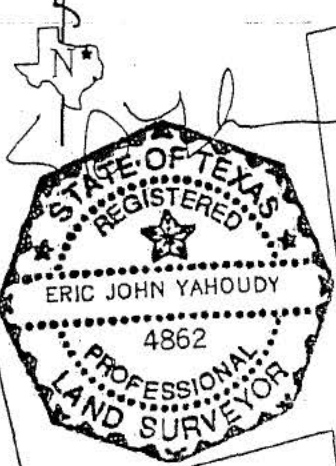
INTERSTATE 30



HUITT-ZOLLARS

BOUNDARY SURVEY FOR  
MUNICIPAL SETTING DESIGNATION  
BEING 272.4 ACRES OUT OF CITY

Land Description Exhibit: Boundary Map  
City Block: A / 7202, B / 7202, C / 7202



Industrial / Manufacturing District  
 OLD DOMINION  
 FREIGHT LINES, INC.  
 Vol. 2000171 Pg. 3593

Lot 1  
 Block A/7201  
 PART OF CITY BLOCK 7201 ADD.  
 Vol. 51 Pg. 161

Lot 3  
 Block A/7215  
 NORTHWEST  
 TRANSPORT  
 ADDITION  
 Vol. 2000158  
 Pg. 1674

Block A/7201

MOTOR FREIGHT TRANSFER FACILITY  
 & MAINTENANCE SHOP  
 Vol. 86104 Pg. 3335  
 CERTIFICATE OF CORRECTION - VOL. 93188, PG. 228

CALEAST NAT TEXAS, L.P.  
 Vol. 2004164 Pg. 5824  
 Industrial / Manufacturing District

Industrial / Manufacturing District  
 DEYULIO INDUSTRIES, LLC  
 Vol. 2003251 Pg. 4376  
 (4.0995 Ac.)

Block 7201

UNION PACIFIC R.R.

(TEXAS & PACIFIC R.R.)

Planned Development District

TRAMMEL CROW CO. #60  
 Vol. 82093 Pg. 3000  
 (Remainder)  
 PETULA ASSOCIATES, LTD.  
 Vol. 90146 Pg. 2266  
 (Undivided 35% Interest Remainder)

TURNPIKE WEST, LLC  
 Vol. 2004230 Pg. 9010

Lot 1  
 Block E/7202  
 Industrial / Manufacturing District

TURNPIKE WEST NEC  
 Inst. No. 200600433117

Block C/7202  
 Planned Development District  
 TURNPIKE SUB, LLC  
 Inst. No. 200600365444  
 (T27- 13.222 Ac.)

Block K/7214 Industrial / Manufacturing District

TURNPIKE SUB, LLC  
 Inst. No. 200600365444  
 (T21- 2.285 Ac.)

WINSON STREET

MICAN DRIVE

HORACE BURNHAM SURVEY, ABST. NO. 106  
 THOMAS CHESHIRE SURVEY, ABST. NO. 251

(150' R.O.W.)

COCKRELL HILL ROAD

BASTILLE ROAD

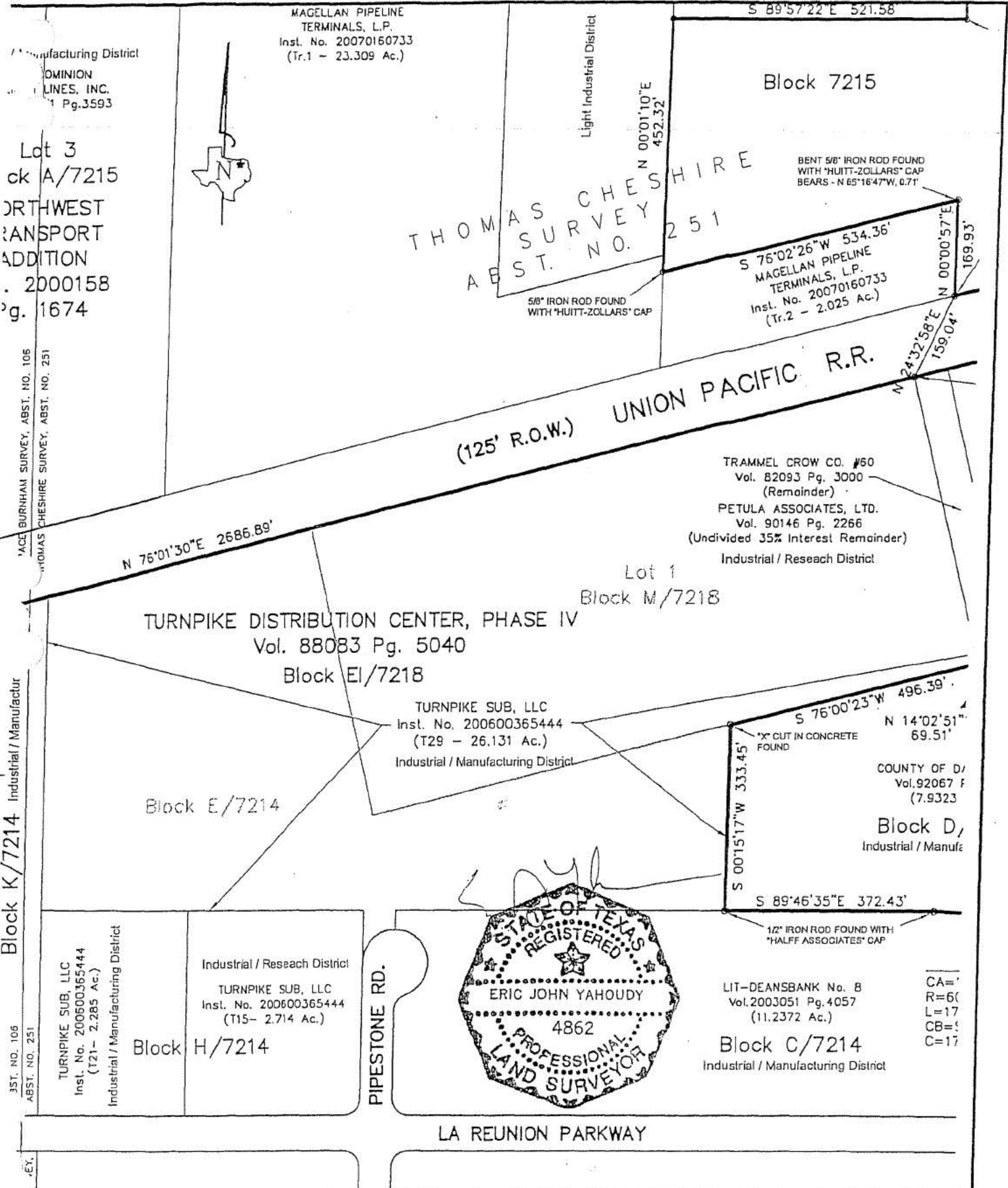
HORACE BURNHAM SURVEY  
 ABST. NO. 106

LA REUNION PARKWAY

1/2" IRON ROD FOUND WITH  
 "HALFF ASSOCIATES" CAP

JRVEY,  
 JRVEY,





THOMAS CHESHIRE SURVEY, 252  
D. A. LEARNED SURVEY, ABST. NO. 771

① PRIVATE LICENSE TO CHARLES W. DAVIS  
City Ord. No. 21052  
Vol. 91246 Pg. 1443

② STREET EASEMENT TO CITY OF DALLAS  
Vol. 88139 Pg. 4275

③ STREET EASEMENT TO CITY OF DALLAS  
Vol. 88151 Pg. 3948

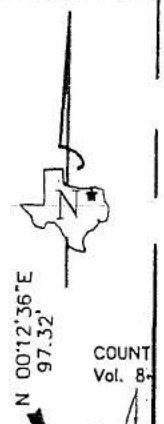
D. A. LEARNED SURVEY  
ABST. NO. 771

⑦ STREET DEDICATION TO CITY OF DALLAS  
Vol. 97176 Pg. 0878

④ COUNTY OF DALLAS  
Vol. 84086 Pg. 2806

⑤ STREET DEDICATION TO CITY OF DALLAS  
Vol. 93181 Pg. 2170

⑥ FEATHERLITE BUILDING PRODUCTS CORPORATION  
Vol. 96127 Pg. 0025



SINGLETON BLVD.

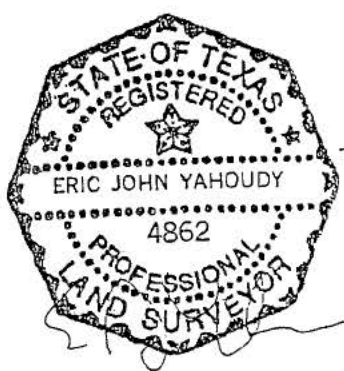
D. A. LEARNED SURVEY, ABST. NO. 771  
THOMAS CHESHIRE SURVEY, ABST. NO. 251

(EAGLE FORD ROAD)

COUNTY OF DALLAS  
Vol. 2238 Pg. 390

Manufacturing District  
LD DOMINION  
GHT LINES, INC.  
000171 Pg.3593

Lot 3  
Block A/7215  
NORTHWEST  
TRANSPORT  
ADDITION  
2000158  
Pg. 1674



Industrial / Manufacturing District  
MAGELLAN PIPELINE  
TERMINALS, L.P.  
Inst. No. 20070160733  
(Tr.1 - 23.309 Ac.)

WASTE  
MANAGEMENT, INC.  
Vol. 84240 Pg. 1931  
(8.892 Ac.)

NEWBERGER SUBDIVISION  
Vol. 71054 Pg. 2017

Light Industrial District

R.O.W. DEDICATION  
Vol. 81021 Pg. 1226  
  
Lot 2  
Block A/7215  
  
DALWACO ADDITION  
Vol. 81021 Pg. 1226

Industrial / Manufacturing District  
MATCON PROPERTIES  
OF TEXAS, L.L.C.  
Vol. 2003020 Pg. 9892  
(9.7590 Ac.)

S 89°57'22"E 521.58'

Block 7215

BENT 5/8" IRON ROD FOUND  
WITH "HUITT-ZOLLARS" CAP  
BEARS - N 65°16'47"W, 0.71'

THOMAS CHESHIRE SURVEY  
ABST. NO. 251

5/8" IRON ROD FOUND  
WITH "HUITT-ZOLLARS" CAP

S 76°02'26"W 534.36'  
MAGELLAN PIPELINE  
TERMINALS, L.P.  
Inst. No. 20070160733  
(Tr.2 - 2.025 Ac.)

UNION PACIFIC R.R.

**HUITT-ZOLLARS**  
Huitt-Zollars, Inc. Dallas  
3131 McKinney Avenue, Suite 600  
Dallas, Texas 75204-2489  
Phone (214) 871-3311 Fax (214) 871-0757

BOUNDARY SURVEY FOR  
MUNICIPAL SETTING DESIGNATION  
BEING 273.4 ACRES OUT OF CITY  
BLOCKS 7202, 7214, 7215, & 7218,  
DALLAS, DALLAS COUNTY TEXAS

Land Description Exhibit: Boundary Map  
City Block: 7215, E1 / 7218  
  
Graphic Scale in Feet 0 100 250  
Page No: 24 of 24

# 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. (see attached Table 2)

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? 10 / 19 / 92	<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: construction worker excavation pathway (VCP-1453 and VCP-1386)	<input checked="" type="radio"/> Yes	<input 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.

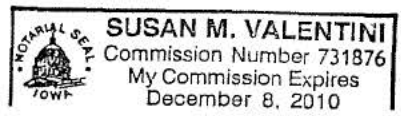
Turnpike Sub, LLC  
 Applicant Signature: *Donald J. Koehler, II* Date: 5-21-09  
**DONALD J. KOEHLER, II**  
**COUNSEL FOR TURNPIKE SUB, LLC**

Before me Susan M. Valentini the undersigned authority, on this day personally appeared  
 Name of Notary

Donald J. Koehler, II and signed this Municipal Setting Designation Application.  
 Name of Applicant

Sworn, subscribed and signed before me in the County of Polk, State of Iowa on the 21<sup>ST</sup> day of MAY, this month of MAY, 2009

*Susan M. Valentini*



# 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>
<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. (see attached Table 2)		
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? 10 / 19 / 92	<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
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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):

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- 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.

See attached \_\_\_\_\_ Date \_\_\_\_\_  
 Applicant Signature

Before me BETTY JO INMAN the undersigned authority, on this day personally appeared  
JEANNA CAMP \_\_\_\_\_ and signed this Municipal Setting Designation Application.  
Name of Notary  
Name of Applicant

Sworn, subscribed and signed before me in the County of DALLAS, State of TX, on the 2  
 day of JUNE, this month of JUNE, 2009

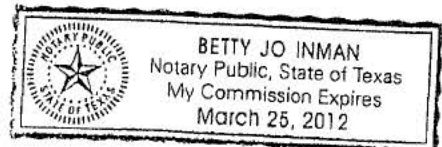


Exhibit "B"

LIT-DEANSBANK NO. 8, a Texas general partnership

By: LIT-ENVGP, L.L.C., a Delaware limited liability company, one of its two general partners

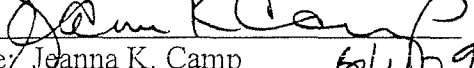
By: LIT Industrial Limited Partnership, a Delaware limited partnership, its sole member and manager

By: LIT Holdings GP, LLC, a Delaware limited liability company, its sole general partner

By: Lion Industrial Properties, L.P., a Delaware limited partnership, its sole member

By: LIT GP Sub, LLC, a Delaware limited liability company, its sole general partner

By: Lion Industrial Trust, a Maryland real estate investment trust, its sole member and manager

By:   
Name: Jeanna K. Camp 6/1/09  
Title: Senior Vice President

# Exhibit "B"

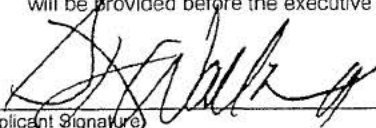
c) each retail public utility, as defined by Texas Water Code, §13.002, that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input type="radio"/> Yes	<input type="radio"/> No <sup>3</sup>	<input checked="" type="radio"/> NA <sup>4</sup>
<sup>3</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. (see attached Table 2)		
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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: construction worker excavation pathway (VCP-1453 and VCP-1386)	<input checked="" type="radio"/> Yes	<input 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.		

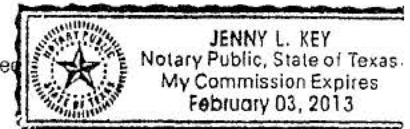
I affirmatively state that (place an X in all applicable blanks):

- 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: 

Date: 6/2/09

Before me Jenny L. Key the undersigned authority, on this day personally appeared S. Denton Walker III and signed this Municipal Setting Designation Application.  
Name of Notary  
Name of Applicant



Sworn, subscribed and signed before me in the County of DALLAS, State of TX, on the 2<sup>nd</sup> day of June, this month of June, 2009

# 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>
<sup>3</sup> Do not submit application.			
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**MSD Information:**

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**TXI OPERATIONS, L P**

Applicant Signature *Barry M. Bone* Date 5-15-09  
**Barry M. Bone VICE PRESIDENT**

Before me Heather O'Mara the undersigned authority, on this day personally appeared Barry M Bone and signed this Municipal Setting Designation Application.  
Name of Notary  
Name of Applicant

Sworn, subscribed and signed before me in the County of Dallas, State of TX, on the 15<sup>th</sup> day of May, this month of May, 2009.



*Heather O'Mara*

# 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>
<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:**

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

I affirmatively state that (place an X in all applicable blanks):

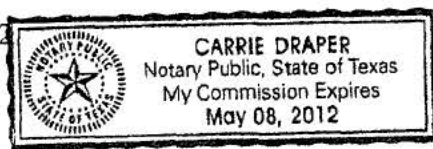
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- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC §361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the proposed MSD property 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: *Carrie Draper* Date: 05/11/09

Before me Carrie Draper the undersigned authority, on this day personally appeared  
Name of Notary  
Scott Burkey and signed this Municipal Setting Designation Application.  
Name of Applicant

Sworn, subscribed and signed before me in the County of Denton, State of Tx, on the 11<sup>th</sup> day of May, 2009.

*Carrie Draper*





# 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:**

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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: construction worker excavation pathway (VCP-1453 and VCP-1386)	<input checked="" type="radio"/> Yes	<input 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.

TDC #12, LTD., a Texas limited partnership

By: Trammell Crow Company No. 60 Limited Partnership, a Texas limited partnership, its general partner

By: Crow Family 1991 Limited Partnership, a Texas limited partnership, its general partner

By: Crow Family, Inc., a Texas corporation, its general partner

Date MAY 11, 2009

By: [Signature]  
Robert A. McClain, Vice President

Before me Marty Pearson the undersigned authority, on this day personally appeared

Robert A. McClain Name of Applicant and signed this Municipal Setting Designation Application.

Sworn, subscribed and signed before me in the County of Dallas, State of Texas, on the 11<sup>th</sup> day of May, this month of May, 2009.

