

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*

January 5, 2010

Mr. Rich Hyink, Director of Safety and Environment  
ACF Industries, LLC  
101 Clark Street  
St. Charles, Missouri 63301-2075

RE: Municipal Setting Designation (MSD) Certificate for Shippers Car Line Facility,  
300 South Stevens and Adjacent Properties, Longview, Gregg County, Texas;  
Municipal Setting Designation (MSD) No. 113

Dear Mr. Hyink:

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,

A handwritten signature in cursive script that reads "Scott Settemeyer".

Scott Settemeyer, P.G., Work Leader  
VCP-CA Section  
Remediation Division

DSS/jdm

Enclosure

cc: Mr. Dylan Lawson, SWR No. 31537 Project Manager, Remediation Division,  
MC-127

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. 113, in the City of Longview, 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 28<sup>th</sup> day of December, 2009

A handwritten signature in black ink, appearing to read "Mark R. Vickery", written over a horizontal line.

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

# Exhibit B

c) each retail public utility, as defined by Texas Water Code, §13.002, that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>3</sup>	<input 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. SWR No. 31537, UIC No. 5X2600338		
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> GWing)?	<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 / 27 / 98	<input type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses the designated groundwater as source water?	<input type="radio"/> Yes <sup>6</sup>	<input checked="" type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses a deeper groundwater zone for the source water that is not properly sealed off from the designated groundwater?	<input type="radio"/> Yes <sup>6</sup>	<input checked="" type="radio"/> No
Is the applicant aware of any non-consumptive use of the groundwater or other human health or ecological exposure pathways that are of concern? If yes, specify:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has each municipality and retail public utility identified in §361.8065 provided firm commitment to adopt an ordinance or resolution in support of the application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>6</sup>
Is a copy of the ordinance or restrictive covenant that restricts consumptive use and appropriately restricts other uses of and contact with the designated groundwater, and any required resolutions provided with this application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
<sup>5</sup> "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)].		
<sup>6</sup> Do not submit an application.		

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

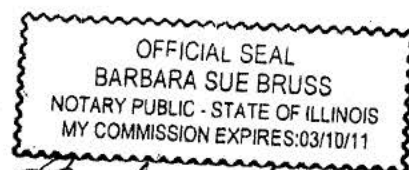
- The MSD eligibility criteria of THSC §361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC §361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the proposed MSD property is included with the application.
- Notice was provided in accordance with THSC §361.805.
- A copy of an ordinance or restrictive covenant and any required resolutions are provided in this application or will be provided before the executive director certifies this application.

Richard A. Hyink  
Applicant Signature

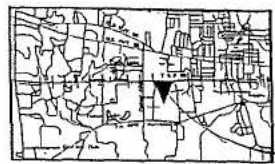
June 15, 2009  
Date

Before me Barbara Sue Bruss the undersigned authority, on this day personally appeared  
Name of Notary  
Richard A. Hyink and signed this Municipal Setting Designation Application.  
Name of Applicant

Sworn, subscribed and signed before me in the County of St. Clair, State of IL, on the 15<sup>th</sup>  
day of June, this month of June, 2009.



Texas & Pacific Railroad ROW



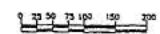
Project Location

Vicinity Map  
N.T.S.



Legend

1	Blanket Easement
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W. A. Fisher  
19.75 Ac. Residue  
Vol. 483, Pg. 96  
Dtd: 09/07/56

Corbill Holding Corporation, Inc.  
9.17 Ac.  
Vol. 2085, Pg. 489  
Dtd: 11/30/89

Longview Industrial  
District, Inc.  
Residue Tract  
Vol. 488, Pg. 96  
Dtd: 09/07/56

inity Industries, Inc.  
4.70 Ac.  
Vol. 2533, Pg. 538  
Dtd: 06/25/93

Corbill Holding Corporation, Inc.  
11.56 Ac.  
Vol. 2085, Pg. 480  
Dtd: 11/30/89

(City Maintained)

view Mechanical  
tractors, Inc.  
3.60  
1981, Pg. 268  
d: 11/29/88

Corbill Holding Corporation, Inc.  
10.0 Ac.  
Vol. 2085, Pg. 480  
Dtd: 11/30/89

Sonaca Products Company  
28.22 Ac. Residue  
Vol. 492, Pg. 356  
Dtd: 02/19/57

Texas and Pacific  
Railway Company  
0.99 Ac.  
Vol. 550, Pg. 43  
Dtd: 12/10/59

- Meanders of Hawkins Creek
- L 1 - N 29°12'12" W 71.06'
  - L 2 - N 27°23'03" E 42.26'
  - L 3 - N 27°12'22" W 97.58'
  - L 4 - N 27°12'22" W 97.58'
  - L 5 - N 27°12'22" W 97.58'
  - L 6 - N 27°12'22" W 97.58'
  - L 7 - N 27°12'22" W 97.58'
  - L 8 - N 27°12'22" W 97.58'
  - L 9 - N 27°12'22" W 97.58'
  - L 10 - N 27°12'22" W 97.58'
  - L 11 - N 27°12'22" W 97.58'
  - L 12 - N 27°12'22" W 97.58'
  - L 13 - N 27°12'22" W 97.58'

Approx. I.C. SKILLERN SURVEY, A-4  
JACOB LAGRONE SURVEY, A-124

Approx. Carpenter Technology Corporation  
40.8 Ac.  
Vol. 1049, Pg. 557  
Dtd: 01/7/77

STATE of TEXAS  
COUNTY of CRESC

I, ROBERT M. GEORGE, Registered Professional Land Surveyor, certify that this Plat and attached Field Note Description is a true and correct representation of the results of an actual survey made on the ground by me and personnel under my supervision during the month of June, 1995 reflecting the location of the buildings from the plat of a 33.428 Ac. Tract of land in the City of Longview situated in the L. C. SKILLERN SURVEY A-4 and the JACOB LAGRONE SURVEY A-124, Gregg County, Texas and being all of a 16.42 Ac. Tract described in deed dated April 3, 1975 recorded in Volume 975, Page 332, all of a small tract described in deed dated March 2, 1970 recorded in Volume 802, Page 457, all of a 3.17 Ac. Tract described in deed dated December 20, 1957 recorded in Volume 728, Page 124, all of a 4.56 Ac. Tract described in deed dated September 17, 1954 recorded in Volume 655, Page 558, all of a 8.0 Ac. Tract described in deed dated September 11, 1953 recorded in Volume 645, Page 4 and all of a 1.25 Ac. Tract described in deed dated April 17, 1961 recorded in Volume 587, Page 480, all in Deed Records, Gregg County, Texas and being more particularly described in Field Note Description attached hereto and made a part thereof.

The buildings, as shown on this Plat, are wholly located on the said tract of land and there are no encroachments on said tract of land by buildings on the adjoining tracts. There are no visible highlines, pipelines or other utilities on said tract of land other than those serving same, except as depicted on this Plat. Said tract of land is in Flood Zone X according to the FEMA Flood Insurance Rate Map Community Panel Number 480264-00100 dated January 17, 1990. This survey substantially conforms to the Minimum Standards of Practice approved by the Texas Board of Professional Land Surveying. All monuments were found or set as depicted on this Plat. Record bearing was assumed along the South ROW Line of the Texas & Pacific Railroad as depicted on this Plat.

WITNESS my hand and Official Seal this 21th day of June, 1995 A. D.

ROBERT M. GEORGE, Registered Professional Land Surveyor Number 4844



NOTES:

1. The following Easements are Blanket Easements, Volume 85, Pages 170-171, Volume 92, Page 53, Volume 130, Page 395, Volume 115, Page 137, Volume 163, Page 458, Volume 592, Page 198 and Volume 198, Page 124.
2. The following Easements do not affect this Property, Volume 95, Page 557 and Volume 201, Page 396.

ROBERT M. GEORGE & ASSOCIATES  
814 Gilmer Road Suite 3  
Longview, Texas (903) 253-8708  
Surveyor of  
ENGINEERED CASTINGS, INC.  
33.428 Ac.

# Exhibit A

METES AND BOUNDS DESCRIPTION  
23.159 ACRES  
TRACTS ONE AND FIVE, PARCEL NO. 1,  
AND PARCEL NO. 2.

All that certain tract or parcel containing 23.159 acres of land in the I. C. Skillern Survey, A-4, Gregg County, Texas, being part of 24.24 acre Tract One, Parcel No. 1, all of Tract Five, Parcel No. 1, and all of 0.083 acre Parcel No. 2, which were conveyed from ACF Industries, Inc., to Shippers Car Line, Inc., by an instrument of record in Volume 1538, Page 118, of the Gregg County Deed Records (GCDR), said 23.159 acres being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a 5/8" iron rod found marking the southwest corner of Prothro Drive, lying in the west line of said Tract One, and east line of a tract which was called 20 acres and conveyed from Lebus Manufacturing, Inc., to Crosby Group, Inc., by an instrument of record in Volume 2080, Page 01, of the Gregg County Public Official Records (GCPOR), said beginning point being located S 08°53'32" E, 33.18 feet along the west end of Prothro Drive from a 5/8" iron rod found marking the northeast corner of said Crosby tract;

THENCE along the south right of way (R-O-W) line of Prothro Drive by the following courses:

N 88°19'46" E, 475.00 feet to a 5/8" iron rod found marking the west corner of a tract which was called 0.083 acre and conveyed from City of Longview, Texas, to ACF Industries, Inc, by an instrument of record in Volume 1143, Page 133, GCDR;

N 82°35'25" E, 100.00 feet to a 5/8" iron rod found at an angle point;

N 88°19'46" E, 260.00 feet to a 5/8" iron rod found at an angle point;

S 85°55'53" E, 100.00 feet to a 5/8" iron rod found at an angle point, being the east corner of said 0.083 acre tract;

N 88°19'46" E, 629.96 feet to a 5/8" iron rod found for northeast corner at the intersection with the east line of said Tract One, and northwest corner of Block 3, Revised Plat of Edgewood Addition, a subdivision of record in Volume 463, Page 114, GCDR, from said corner, another 5/8" iron rod bears: N 16°05' W, 0.94 foot, and a fence corner post bears: S 70°14' E, 3.7 feet;

THENCE departing Prothro Drive, S 01°22'40" E, 651.62 feet along the common line of said Tract One and Block 3, Edgewood, to a 5/8" iron rod found for corner, being the northwest corner of said Tract 5, Parcel No. 1;

METES AND BOUNDS DESCRIPTION

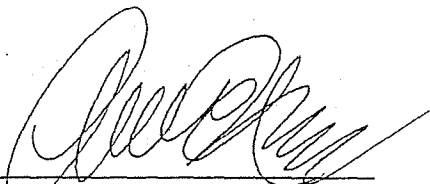
23.159 ACRES

Page 2

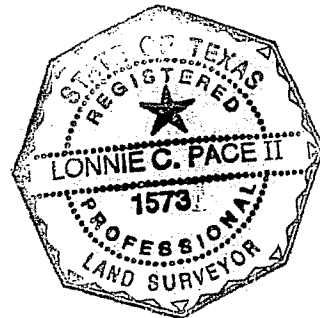
THENCE S 76°31'40" E, 46.55 feet to a 5/8" iron rod found for southeast corner, being the east corner of said Tract Five, Parcel No. 1, lying in the north R-O-W line of the Texas and Pacific Railroad (T&P RR);

THENCE S 88°32'06" W, 1522.17 feet along the north R-O-W line of the T&P RR to a 5/8" iron rod with an aluminum cap found for southwest corner, being the southwest corner of said Tract One, Parcel No. 1, and southeast corner of the aforementioned 20 acre Crosby tract, from said corner a 1/2" iron rod found bears: S 81°32' W, 6.02 foot;

THENCE departing the T&P RR, N 08°53'32" W, 663.58 feet along the common line of said Tract One and said 20 acre Crosby tract to the PLACE OF BEGINNING and containing 23.159 acres of land, more or less. This description is accompanied by a certified plat prepared under the same job number as a part of this professional service.



Lonnie C. Pace, II  
Professional Land Surveyor  
Texas Registration No. 1573

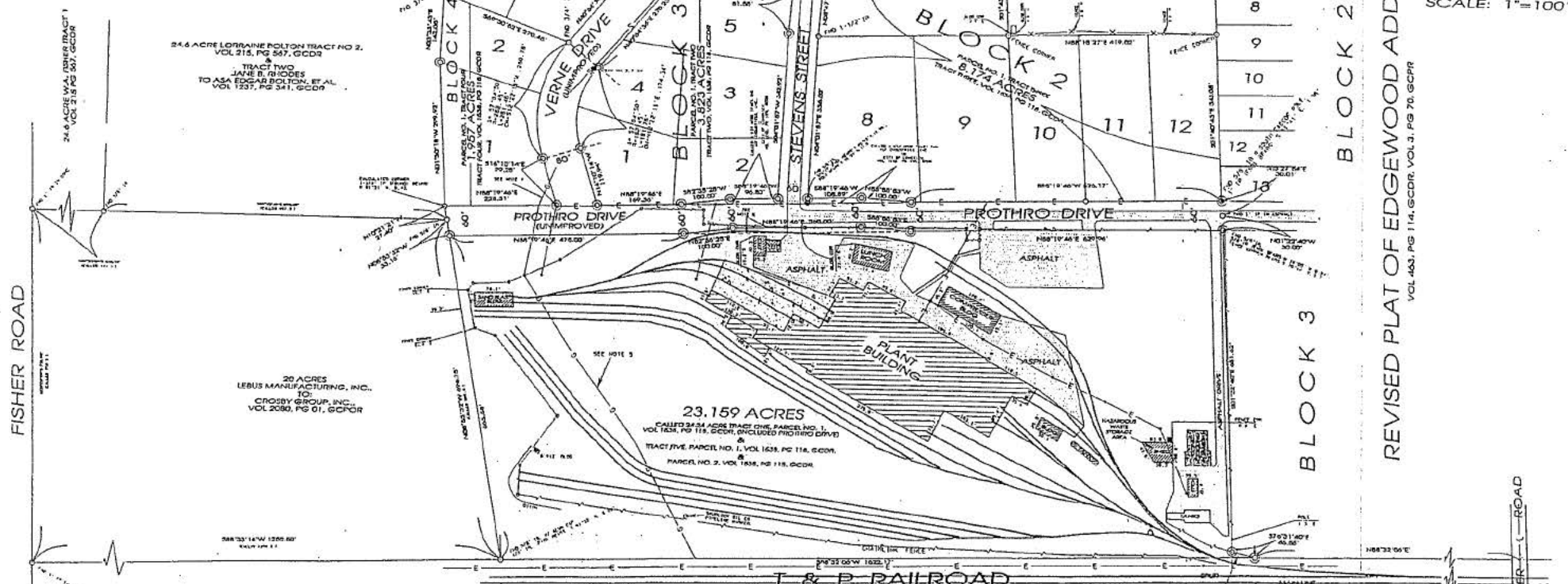


Compiled By:  
Johnson & Pace  
430 North Center Street, Suite A  
Longview, Texas 75601

Engineering & Surveying Consultants  
Job No. 1510-001  
Date: November 1, 1998

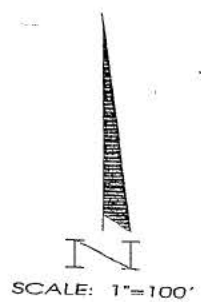
NOTES:

1. ALL OF LOT 1 FROM 19th COR. TO J.C. NEWMAN, VOL. 1074.
2. LOT 1 AND 4, BLOCK 4, ALVIN BIRNELL TO ROBERT LARK, ET AL., VOL. 10, PG. 509, GCDR.
3. BEARINGS ARE BASED UPON THE TEXAS COORDINATE SYSTEM OF 1927, NORTH CENTRAL ZONE, AND REFERENCED TO TEXAS DEPARTMENT OF TRANSPORTATION SATELLITE STATION "02320018" BY FISHER ROAD EIGHTY AND BOISE TRANSMISSION STATION "02070014".
4. SOUTHERN GAS COMPANY PIPELINE EASEMENT UNSPECIFIED WIDTH, VOL. 508, PG. 155, GCDR.
5. SOUTHERN GAS COMPANY PIPELINE EASEMENT UNSPECIFIED WIDTH, VOL. 508, PG. 151, GCDR.
6. CALLED 0.083 ACRE CITY OF LORNAIR, TEXAS, IN HER INDUSTRIES, INC., VOL. 5143, PG. 113, GCDR, AND PARCEL NO. 2, VOL. 1730, PG. 128, GCDR.
7. INDICATES A 3/4" IRON ROD PIN, PREVIOUSLY SET BY ME.



FISHER ROAD

REVISED PLAT OF EDGEWOOD ADDITION



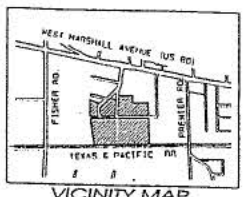
24.6 ACRES LORRAINE POLTON TRACT NO. 2, VOL. 215, PG. 547, GCDR  
TRACT TWO  
JANE B. RHODES  
TO ASA EDGAR BUCKTON, ET AL.  
VOL. 1357, PG. 341, GCDR

20 ACRES  
LEBUS MANUFACTURING, INC.  
TO  
CROSBY GROUP, INC.  
VOL. 2080, PG. 01, GCDR

23.159 ACRES  
CALLED 24.34 ACRES TRACT ONE, PARCEL NO. 1, VOL. 1634, PG. 118, GCDR, INCLUDED PROTHRO DRIVE  
OR  
TRACT FIVE, PARCEL NO. 1, VOL. 1634, PG. 118, GCDR.  
PARCEL NO. 2, VOL. 1935, PG. 118, GCDR.

I HEREBY CERTIFY TO AMERICAN BATTERY INDUSTRIES, INC. THE INDUSTRIAL BANK OF JAPAN TRUST COMPANY AS AGENT, AND CHRYSLER FLEET INSURANCE COMPANY THAT THIS PLAT AND THE SURVEY UPON WHICH IT IS BASED WERE MADE BY ME IN ACCORDANCE WITH MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA ACORN AND MAPS IN 1973, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

26 OCT 98  
DATE  
LOUISE C. PAGE III  
PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 1973



VICINITY MAP

WILLIAMSON TRACT  
W. C. REALTY CO., INC.  
ACE SHOOTING  
TR. 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 8-10, 8-11, 8-12, 8-13, 8-14, 8-15, 8-16, 8-17, 8-18, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-29, 8-30, 8-31, 8-32, 8-33, 8-34, 8-35, 8-36, 8-37, 8-38, 8-39, 8-40, 8-41, 8-42, 8-43, 8-44, 8-45, 8-46, 8-47, 8-48, 8-49, 8-50, 8-51, 8-52, 8-53, 8-54, 8-55, 8-56, 8-57, 8-58, 8-59, 8-60, 8-61, 8-62, 8-63, 8-64, 8-65, 8-66, 8-67, 8-68, 8-69, 8-70, 8-71, 8-72, 8-73, 8-74, 8-75, 8-76, 8-77, 8-78, 8-79, 8-80, 8-81, 8-82, 8-83, 8-84, 8-85, 8-86, 8-87, 8-88, 8-89, 8-90, 8-91, 8-92, 8-93, 8-94, 8-95, 8-96, 8-97, 8-98, 8-99, 8-100.

PLAT OF SURVEY OF  
SEVERAL TRACTS IN  
THE I. C. SKILLERN  
SURVEY, A-4,  
GREGG COUNTY, TEXAS

JOHNSON & PACE  
ENGINEERING & SURVEYING CONSULTANTS  
400 NORTH GIBBS BLVD., SUITE 100, DALLAS, TEXAS 75201  
PHONE: 972-342-1100 FAX: 972-342-1100

JOB NO. 181001 FIELD BOOK NO. 844555 DATE: 21 OCT 98

Exhibit A

ATTACHMENT 1

EXHIBIT "A"

VOLL 680 PG 285

Being 10.0 acres of land located in the I. C. Skillern Survey, Gregg County, Texas, said 10.0 acres being a part of the Longview Industrial Districts, Inc., 132.21 acre tract, deed recorded in Volume 702, Page 224, Deed Records, Gregg County, Texas, said 10.0 acres being more particularly described as follows:

BEGINNING at a 3/8" iron rod in the West ROW line of Railroad Spur, said Beginning point being the SE corner of a 11.58 acre tract conveyed to Roy W. Green and Wesley Green by Longview Industrial Districts, Inc. by Deed dated July 3, 1973 and recorded in Volume 902, Page 580, Deed Records of Gregg County;

THENCE S 4 deg. 11 min. E., 425.0 feet along the West ROW line of said Railroad Spur to a 3/8" iron rod in the same for corner;

THENCE S 88 deg. 57 min. W., 1091.5 feet to a 3/8" iron rod in the East ROW line of a street;

THENCE N 12 deg. 54 min. E., 437.2 feet along the East ROW line of said street to a 3/8" iron rod in same for corner, same being the SW corner of the above mentioned 6.19 acre tract;

THENCE N 88 deg. 57 min. E., 962.9 feet along the SBL of said 6.19 acre tract to the Place of Beginning and containing 10.0 acres of land.

Being 9.17 acres of land located in the Jacob LaGrone Survey, Gregg County, Texas, said 9.17 acres of land being a part of a 132.21 acre tract described in Volume 702, Page 724, Deed Records of Gregg County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod on the South ROW line of Texas and Pacific Rail Road ROW, said Beginning S 89 deg. 51 min. E. 508' from a point in Hawkins Creek and the NW corner of said 132.21 acre tract;

THENCE along the South ROW line of Rail Road Spur tract the following courses and distances:

S. 89 deg. 13 min. E. 268.8 feet; S. 70 deg. 42' E. 173.1 feet; S. 54 deg. 07' E. 100.0 feet; S. 41 deg. 40 min. E. 100.0 feet; S. 28 deg. 25 min. S. 100.0 feet; S. 15 deg. 20 min. E. 100.0 feet and S. 4 deg. 48 min. E. 237.3 feet to a fence corner post on the NE corner of an 11.58 acre tract that was conveyed to Roy Green according to deed recorded in Volume 902, Page 580, Deed Records of Gregg County, Texas;

THENCE S. 88 deg. 57 min. W. 793.0 feet along the NBL of said 11.58 acre tract to a 3/8" iron rod 15 feet West of Scurlock pipeline;

THENCE N. 12 deg. 54 min. E. 327.0 feet and N. 9 deg. 08 min. E. 314.1 feet along a line 15 feet West of said pipeline to the Place of Beginning, and containing 9.17 acres of land.

Being 11.58 acres of land located in the I. C. Skillern Survey, Gregg County, Texas, said 11.58 acres being a part of the Longview Industrial Districts, Inc., 132.21 acre tract, deed recorded in Volume 702, Page 224, Deed Records of Gregg County, Texas, said 11.58 acres being more particularly described as follows:

BEGINNING at a 3/8" iron rod in the W. ROW line of Railroad Spur, said Beginning point being N. 11 deg. 52 min. W. 571.0 feet from the NWC of the Fleetwood Enterprises, Inc. 10.0 acre tract described in deed of record in Volume 813, Page 186, Deed Records of Gregg County, Texas;

THENCE S. 88 deg. 57 min. W. 962.9 feet to a 3/8" iron rod for corner, same being in the E. ROW line of a proposed street;

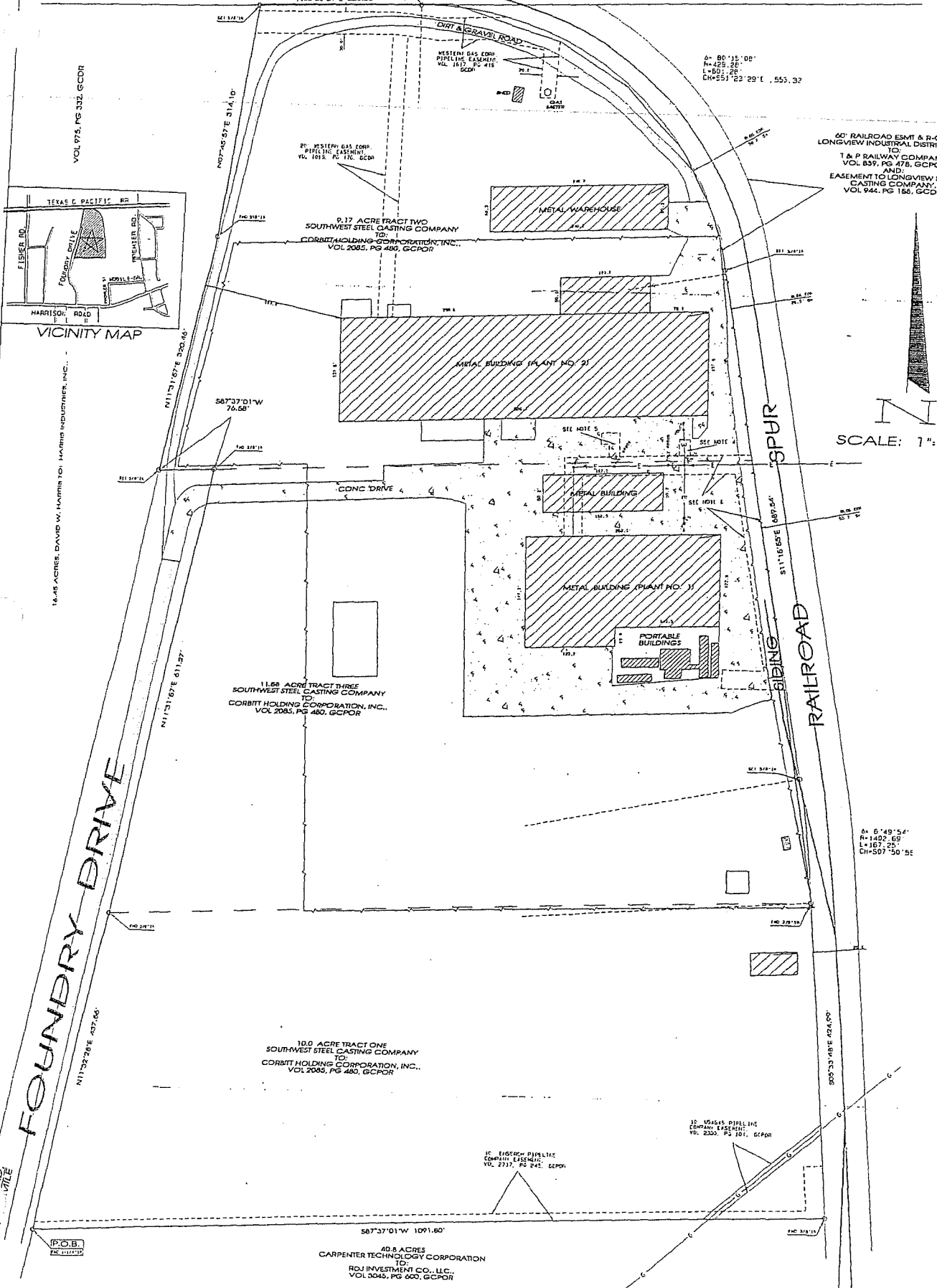
THENCE N. 12 deg. 54 min. E. 612.2 feet along the E. ROW line of said proposed street to a 3/8" iron rod for corner;

THENCE N. 88 deg. 57 min. E. 792.1 feet to a 3/8" iron rod set in the W. ROW line of Railroad Spur;

THENCE S. 9 deg. 32 min. E. 300.0 feet and S. 8 deg. 32 sec. E. 3000.00 feet along the W. ROW line of said Railroad Spur to the Place of Beginning and containing 11.58 acres of land.



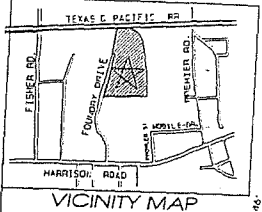
# TEXAS AND PACIFIC RAILROAD (T&P RR)



60' RAILROAD EASEMENT & R-O-W  
LONGVIEW INDUSTRIAL DISTRICT,  
TO:  
T & P RAILWAY COMPANY,  
VOL. 839, PG. 478, GCPOR  
AND:  
EASEMENT TO LONGVIEW STEEL  
CASTING COMPANY,  
VOL. 944, PG. 186, GCDRI



SCALE: 1" = 100'



VICINITY MAP

2025 RELEASE UNDER E.O. 14176

I HEREBY CERTIFY TO MERRILL RUTHER INDUSTRIES, INC. THE LOCATION,  
 BOUNDARY, AREA AND INTERESTS AS SHOWN AND EXTENT OF THIS SURVEY  
 (CONFORMING TO THE PUBLIC ACT AND THE SURVEYING ACTS) IS BASED UPON  
 THE RECORDS OF THE PUBLIC RECORDS AND THE RECORDS OF THE PUBLIC RECORDS  
 FOR ALL INFORMATION AND THAT THE SURVEYING AND RECORDS ARE CORRECT.

1. BEARINGS ARE BASED UPON THE TEXAS COMMONWEALTH SYSTEM OF  
 1871, NORTH CENTRAL ZONE, AND REFERENCED TO TEXAS  
 DEPARTMENT OF TRANSPORTATION SATELLITE STATION "28282018"  
 AT FISHERS ROAD & CONC AND SOUTH LONGVIEW STATION "28282018".

2. 33 SHARPO EASEMENT, VOL. 1806, PG. 284, GCDRI  
 3. 33 SHARPO EASEMENT, VOL. 1806, PG. 303, GCDRI  
 4. 33 SHARPO EASEMENT, VOL. 1806, PG. 303, GCDRI

PLAT OF SURVEY  
 30.784 ACRE  
 IN THE I.C. SKILL

Exhibit A

Harris

ROBERT M. GEORGE & ASSOCIATES  
LAND SURVEYORS • CIVIL ENGINEERS

814 GILMER ROAD - SUITE 3  
P.O. BOX 8910  
LONGVIEW, TEXAS 75808-8910  
PH: 903-753-8708

ROBERT M. GEORGE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4844  
AMERICAN CONGRESS ON SURVEYING & MAPPING  
LONGVIEW CHAMBER OF COMMERCE  
U.S. AIR FORCE (RET.)  
AFFILIATE MEMBER:  
LONGVIEW BOARD OF REALTORS  
EAST TEXAS BUILDERS ASSOCIATION

CONWAY O. LUMPKIN  
REGISTERED PROFESSIONAL ENGINEER NO. 14230

FIELD NOTES

STATE of TEXAS  
COUNTY of GREGG

I, ROBERT M. GEORGE, Registered Professional Land Surveyor, certify that the attached Plat is a true and correct representation of the results of an actual survey made on the ground by me and personnel under my supervision during the month of June, 1995 reflecting the location of the buildings from the lines of a 33.428 Ac. Tract of land in the City of Longview situated in the I. C. SKILLERN SURVEY A-4 and the JACOB LAGRONE SURVEY A-124, Gregg County, Texas and being all of a 16.45 Ac. Tract described in deed dated April 3, 1975 recorded in Volume 975, Page 332, all of a small tract described in deed dated March 2, 1970 recorded in Volume 802, Page 457, all of a 3.97 Ac. Tract described in deed dated December 20, 1967 recorded in Volume 728, Page 124, all of a 4.56 Ac. Tract described in deed dated September 17, 1964 recorded in Volume 655, Page 558, all of a 6.0 Ac. Tract described in deed dated September 11, 1963 recorded in Volume 635, Page 4 and all of a 1.25 Ac. Tract described in deed dated April 17, 1961 recorded in Volume 587, Page 480, all in Deed Records, Gregg County, Texas and said 33.428 Ac. Tract being more particularly described as follows:

BEGINNING at a 3/8 inch Iron Rod Found in the South ROW Line of the Texas & Pacific Railroad, said ROW width being 100 ft., for the NWC of the Tract herein described and being the NWC of said 3.97 Ac. Tract and also being the NEC of W. A. Fisher's 19.75 Ac. Residue Tract described in deed dated September 7, 1956 recorded in Volume 488, Page 96, Deed Records, Gregg County, Texas from which a 2 inch Iron Pipe Found bears S.89°33'08"E. 52.44 ft.;

THENCE: N.89°51'00"E. 1042.31 ft., with and along the South ROW Line of said Texas & Pacific Railroad to a 5/8 inch Iron Rod with Aluminum Cap Set at the NEC of aforementioned 16.45 Ac. Tract and the NWC of Corbill Holding Corporation, Inc. 9.17 Ac. Tract described in deed dated November 30, 1989 recorded in Volume 2085, Page 480, Public Official Records, Gregg County, Texas for the NEC of the Tract herein described and being 15 ft. perpendicular and West of a Scurlock Pipeline from which a 3/8 inch Iron Rod Found disturbed bears N.30°43'13"W. 1.07 ft.;

THENCE: S.09°08'00"W. 314.10 ft. parallel with and 15 ft. perpendicularly West of said Scurlock Pipeline and with and along the common line of said 9.17 Ac. Tract and said 16.45 Ac. Tract to a 5/8 inch Iron Rod with Aluminum Cap Set for an Angle Point in the East Line of the Tract herein described;

THENCE: S.12°30'00"W. 1458.64 ft. parallel with and 15 ft. perpendicularly West of said Scurlock Pipeline and partly with and along the West Line of said 9.17 Ac. Tract and the West margin of a Proposed Road and the East Line of said 16.45 Ac. Tract to a 5/8 inch Iron Rod with Aluminum Cap Set for another Angle Point in the East Line of the Tract herein described and being in the approximate South Line of the I. C. SKILLERN SURVEY A-4 and the approximate North Line of the JACOB LAGRONE SURVEY A-124;

THENCE: S.31°39'00"W. 282.93 ft. parallel with and 15 ft. perpendicularly West of said Scurlock Pipeline and with and along the East Line of said 16.45 Ac. Tract and leaving said Proposed Road, to a Point in the Centerline of Hawkins Creek for the SEC of said 16.45 Ac. Tract and the Tract herein described and being an Angle Point in the East Line of Sonoco Products Company 28.22 Ac. Residue described in deed dated February 19, 1957 recorded in Volume 497, Page 396, Deed Records, Gregg County, Texas from which a 5/8 inch Iron Rod with Aluminum Cap Set for Reference bears N.31°39'00"E. 20.00 ft.;

THENCE: With and along the Centerline Meanders of said Hawkins Creek and an East Line of said 28.22 Ac. Residue Tract and a West Line of said 16.45 Ac. Tract, N.29°15'12"W. 78.06 ft., N.25°31'03"E. 40.26 ft., N.21°54'22"W. 97.88 ft., N.39°25'35"W. 81.54 ft., N.07°44'21"W. 96.45 ft., N.54°48'24"W. 35.94 ft., N.29°03'55"W. 23.09 ft., N.03°23'01"W. 29.47 ft., N.14°53'01"W. 60.46 ft., N.31°52'12"W. 48.94 ft., N.11°49'38"W. 26.06 ft., N.18°46'46"E. 16.69 ft. and N.25°40'00"W. 9.44 ft. to a Point for a Re-Entrant Corner of the Tract herein described and being the NEC of said 28.22 Ac. Residue Tract and the SEC of aforementioned 4.56 Ac. Tract from which a 5/8 inch Iron Rod with Aluminum Cap Set for Reference bears West 25.00 ft.;

THENCE: WEST with and along the common line of said 4.56 Ac. Tract and said 28.22 Ac. Residue Tract at 469.45 ft. pass a 5/8 inch Iron Rod with Aluminum Cap Set for Reference at the NEC of Texas and Pacific Railway Company's 0.99 Ac. Tract described in deed dated December 10, 1959 recorded in Volume 560, Page 43, Deed Records, Gregg County, Texas, continuing on a Total Distance of 494.47 ft., to a Point in the Centerline of Texas and Pacific Spur Railroad ROW described in deed dated November 18, 1959 recorded under Clerk's File Number 11238, for the SWC of said 4.56 Ac. Tract and being the most Southerly SWC of the Tract herein described and being in the East Line of Longview Mechanical Contractors, Inc. 3.60 Ac. Tract described in deed dated November 29, 1988 recorded in Volume 1981, Page 268, Public Official Records, Gregg County, Texas from which a 2 inch Iron Pipe Found bears S.89°54'24"E. 22.73 ft.;

THENCE: N.02°03'25"E. 131.72 ft., with and along the Centerline of said Spur Railroad and the common line of said 3.60 Ac. Tract and said 4.56 Ac. Tract to a Point for the Beginning of a Curve to the Right of said Spur Railroad having a Central Angle of 17°55'25" and a Radius of 459.28 ft. and being the approximate SEC of Bill Harris Road (a City Maintained Road) and the NEC of said 3.60 Ac. Tract from which a 5/8 inch Iron Rod with Aluminum Cap Set for Reference bears S.87°56'35"E. 25.00 ft. in the East ROW Line of said Spur Railroad;

THENCE: With and along the Arc Length of 143.67 ft. of said Curve to the Right the Chord of N.11°01'08"E. 143.09 ft., to a Point for the End of said Curve to the Right and being in the East Line of Trinity Industries, Inc. 4.70 Ac. Tract described in deed dated June 25, 1993 recorded in Volume 2533, Page 538, Public Official Records, Gregg County, Texas and the West Line of aforementioned Small Tract from which a 5/8 inch Iron Rod with Aluminum Cap Set for Reference bears S.70°01'10"E. 25.00 ft. in the East ROW Line of said Spur Railroad;

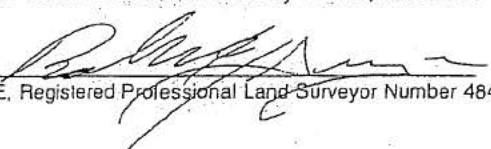
THENCE: N.19°58'50"E. 769.46 ft., with and along the Centerline of said Spur Railroad described in deed dated November 18, 1959 recorded under Clerk's File Number 11239 and Clerk's File Number 11238 and partly with and along the East Line of said 4.70 Ac. Tract and Longview Industrial Districts, Inc. Residue of Tract described in deed dated September 7, 1956 recorded in Volume 488, Page 96, Deed Records, Gregg County, Texas and the West Line of said Small Tract and said 4.56 Ac. Tract to a Point in the Centerline of said Spur Railroad for a Re-Entrant Corner of the Tract herein described and being the NEC of said 4.56 Ac. Tract and in the South Line of aforementioned 1.25 Ac. Tract from which the NWC of aforementioned 6.00 Ac. Tract bears N.89°51'00"E. 27.00 ft. and a 5/8 inch Iron Rod with Aluminum Cap Set for Reference bears S.89°51'00"W. 26.63 ft. in the West ROW Line of said Spur Railroad;

THENCE: S.89°51'00"W. 96.88 ft., with and along the common line of said 1.25 Ac. Tract and said Longview Industrial Districts, Inc. Residue Tract to a 5/8 inch Iron Rod with Aluminum Cap Set in the East Line of aforementioned 19.75 Ac. Residue at the SWC of said 1.25 Ac. Tract for the most Northerly SWC of the Tract herein described from which a 2 inch Iron Pipe Found bears N.69°17'19"E. 10.75 ft.;

THENCE: N.03°08'00"W, with and along the common line of said 1.25 Ac. Tract and said 19.75 Ac. Residue Tract at 100.00 ft., pass the NWC of said 1.25 Ac. Tract and the SWC of aforementioned 3.97 Ac. Tract, continuing on a Total Distance of 404.00 ft., with and along the common line of said 19.75 Ac. Residue and said 3.97 Ac. Tract to the Place of Beginning, containing 33.428 acres of land.

The buildings, as shown on attached Plat, are wholly located on the said tract of land and there are no encroachments on said tract of land by buildings on the adjoining tracts. There are no visible highlines, pipelines or other utility lines on said tract of land other than those serving same, except as depicted on attached Plat. Said tract of land is in Flood Zone X according to the FEMA Flood Insurance Rate Map Community Panel Number 480264-0010D dated September 17, 1990. This survey substantially conforms to the Minimum Standards of Practice approved by the Texas Board of Professional Land Surveying. All monuments were found or set as depicted on attached Plat. Record bearing was assumed along the South ROW Line of the Texas & Pacific Railroad as depicted on attached Plat.

WITNESS my hand and Official Seal this the 27th day of June, 1995 A. D.

  
ROBERT M. GEORGE, Registered Professional Land Surveyor Number 4844



Texas & Pacific Railroad ROW

W. A. Fisher  
19.75 Ac. Residue  
Vol. 483, Pg. 96  
Dtd: 09/07/56

Longview Industrial  
District, Inc.  
Residue Tract  
Vol. 483, Pg. 96  
Dtd: 09/07/56

Corbill Holding Corporation, Inc.  
9.17 Ac.  
Vol. 2085, Pg. 480  
Dtd: 11/30/89

Corbill Holding Corporation, Inc.  
11.58 Ac.  
Vol. 2085, Pg. 480  
Dtd: 11/30/89

Corbill Holding Corporation, Inc.  
10.0 Ac.  
Vol. 2085, Pg. 480  
Dtd: 11/30/89

Carpenter Technology Corporation  
40.8 Ac.  
Vol. 1049, Pg. 557  
Dtd: 01/13/77

inly Industries, Inc.  
4.70 Ac.  
ct. 2533, Pg. 538  
Dtd: 06/25/93

City Maintained

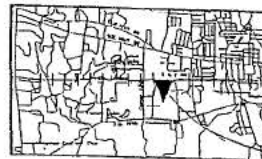
icw Mechanical  
Tractor, Inc.  
3.60  
1981, Pg. 268  
Dtd: 11/29/85

Seneca Products Company  
28.22 Ac. Residue  
Vol. 497, Pg. 398  
Dtd: 02/19/57

Texas and Pacific  
Railway Company  
0.99 Ac.  
Vol. 560, Pg. 43  
Dtd: 12/10/59

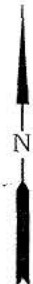
Meanders of Hawkins Creek  
L 1 = N 28°13'12" W 78.05'  
L 2 = N 23°01'03" E 65.29'  
L 3 = S 81°31'21" E 62.88'  
L 4 = S 38°23'35" W 84.34'  
L 5 = S 07°44'25" W 86.10'  
L 6 = S 34°48'21" W 35.24'  
L 7 = S 02°05'15" W 23.09'  
L 8 = N 69°25'51" W 28.47'  
L 9 = S 84°32'27" E 62.61'  
L 10 = S 31°32'32" W 48.14'  
L 11 = N 10°48'29" W 28.56'  
L 12 = N 15°48'44" E 16.29'  
L 13 = S 83°10'00" W 9.14'

I.C. SKILLERN SURVEY, A-4  
JACOB LAGRONE SURVEY, A-124



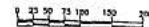
Project Location

Vicinity Map  
H.T.S.



Legend

Survey	Survey
Residue	Residue
Right of Way	Right of Way
Water	Water
City	City
Highway	Highway
Power Line	Power Line
Water Line	Water Line
Gas Line	Gas Line
Oil Line	Oil Line
Telephone Line	Telephone Line
Electric Line	Electric Line
Water Line	Water Line
Gas Line	Gas Line
Oil Line	Oil Line
Telephone Line	Telephone Line
Electric Line	Electric Line



STATE of TEXAS  
COUNTY of GREGG

I, ROBERT M. GEORGE, Registered Professional Land Surveyor, certify that this Plat and attached Field Note Description is a true and correct representation of the results of an actual survey made on the ground by me and personal under my supervision during the month of June, 1995 reflecting the location of the buildings from the files of a 33.428 Ac. Tract of land in the City of Longview situated in the I. C. SKILLERN SURVEY A-4 and the JACOB LAGRONE SURVEY A-124, Gregg County, Texas and being all of a 16.45 Ac. Tract described in Volume 802, Page 457, all of a 3.97 Ac. Tract described in deed dated December 20, 1967 recorded in Volume 720, Page 124, all of a 4.56 Ac. Tract described in deed dated April 3, 1975 recorded in Volume 125, Page 558, all of a 6.0 Ac. Tract described in deed dated September 11, 1963 recorded in Volume 845, Page 4 and of a 1.25 Ac. Tract described in deed dated April 17, 1961 recorded in Volume 587, Page 480, all in Deed Records, Gregg County, Texas and being more particularly described in Field Note Description attached hereto and made a part thereof.

The buildings, as shown on this Plat, are wholly located on the said tract of land and there are no encroachments on said tract of land by buildings on the adjoining tracts. There are no visible pipelines, pipelines or other utilities on said tract of land other than those serving same, except as depicted on this Plat. Said tract of land is in Flood Zone X according to the FEMA Flood Insurance Rate Map Community Flood Number 480204-00100 dated January 17, 1990. This survey substantially conforms to the Minimum Standards of Practice approved by the Texas Board of Professional Land Surveying. All monuments are found or set as depicted on this Plat. Record bearing was assumed along the South ROW Line of the Texas & Pacific Railroad as depicted on this Plat.

WITNESS my hand and Official Seal this 27th day of June, 1995 A. D.

ROBERT M. GEORGE, Registered Professional Land Surveyor Number 4841



NOTES:

- The following Easements are Blanket Easements, Volume 85, Pages 170-171, Volume 92, Page 53, Volume 130, Page 156, Volume 115, Page 137, Volume 163, Page 458, Volume 592, Page 198 and Volume 196, Page 134.
- The following Easements do not affect this Property, Volume 85, Page 557 and Volume 291, Page 396.

ROBERT M. GEORGE & ASSOCIATES  
814 Gilmer Road Suite 3  
Longview, Texas (903) 933-8708  
Survey of  
ENGINEERED CASTINGS, INC.  
33.428 Ac.

# Exhibit B

c) each retail public utility, as defined by Texas Water Code, §13.002, that owns or operates a groundwater supply well located within five miles beyond the proposed MSD boundaries?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>3</sup>	<input 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. SWR No. 31537, UIC No. 5X2600338		
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 / 27 / 98	<input type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses the designated groundwater as source water?	<input type="radio"/> Yes <sup>6</sup>	<input checked="" type="radio"/> No
Is there a potable-use well within the boundary of the proposed MSD that uses a deeper groundwater zone for the source water that is not properly sealed off from the designated groundwater?	<input type="radio"/> Yes <sup>6</sup>	<input checked="" type="radio"/> No
Is the applicant aware of any non-consumptive use of the groundwater or other human health or ecological exposure pathways that are of concern? If yes, specify:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has each municipality and retail public utility identified in §361.8065 provided firm commitment to adopt an ordinance or resolution in support of the application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No <sup>6</sup>
Is a copy of the ordinance or restrictive covenant that restricts consumptive use and appropriately restricts other uses of and contact with the designated groundwater, and any required resolutions provided with this application?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
<sup>5</sup> "Potable water" means water that is used for irrigating crops intended for human consumption, drinking, showering, bathing, or cooking purposes [THSC §361.801(2)].		
<sup>6</sup> Do not submit an application.		

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

- The MSD eligibility criteria of THSC §361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC §361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the proposed MSD property is included with the application.
- Notice was provided in accordance with THSC §361.805.
- A copy of an ordinance or restrictive covenant and any required resolutions are provided in this application or will be provided before the executive director certifies this application.

Richard A. Hyink  
Applicant Signature

June 15, 2009  
Date

Before me Barbara Sue Bruss the undersigned authority, on this day personally appeared  
Name of Notary  
Richard A. Hyink and signed this Municipal Setting Designation Application.  
Name of Applicant

Sworn, subscribed and signed before me in the County of St. Clair, State of IL, on the 15<sup>th</sup> day of June, 2009.

