

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 7, 2012

Mr. John Wagner, CAO/Secretary
700 TL Building, Ltd.
800 Orthopedic Way
Arlington, Texas 76015

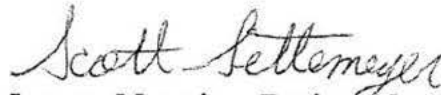
RE: Municipal Setting Designation (MSD) Certificate for Arlington Orthopedic Associates, PA, 800 Orthopedic Way, Arlington, Tarrant County, TX; MSD No. 212

Dear Mr. Wagner:

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) 239-3737 or via e-mail (joanna.manning@TCEQ.Texas.gov).

Sincerely,

for

Joanna Manning, Project Manager
VCP-CA Section
Remediation Division

JM/mdh

Enclosure: MSD Certificate No. 212

cc: Mr. Sam Barrett, Waste Section Manager, TCEQ Region 4 Office,
Dallas/Fort Worth

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, Zak Covar, Executive Director of the Texas Commission on Environmental Quality certify the Municipal Setting Designation for MSD No. 212, in the City of Arlington, 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 28th day of August, 2012

A handwritten signature in black ink, appearing to read "Zak Covar", written over a horizontal line.

Zak Covar
Executive Director
Texas Commission on Environmental Quality

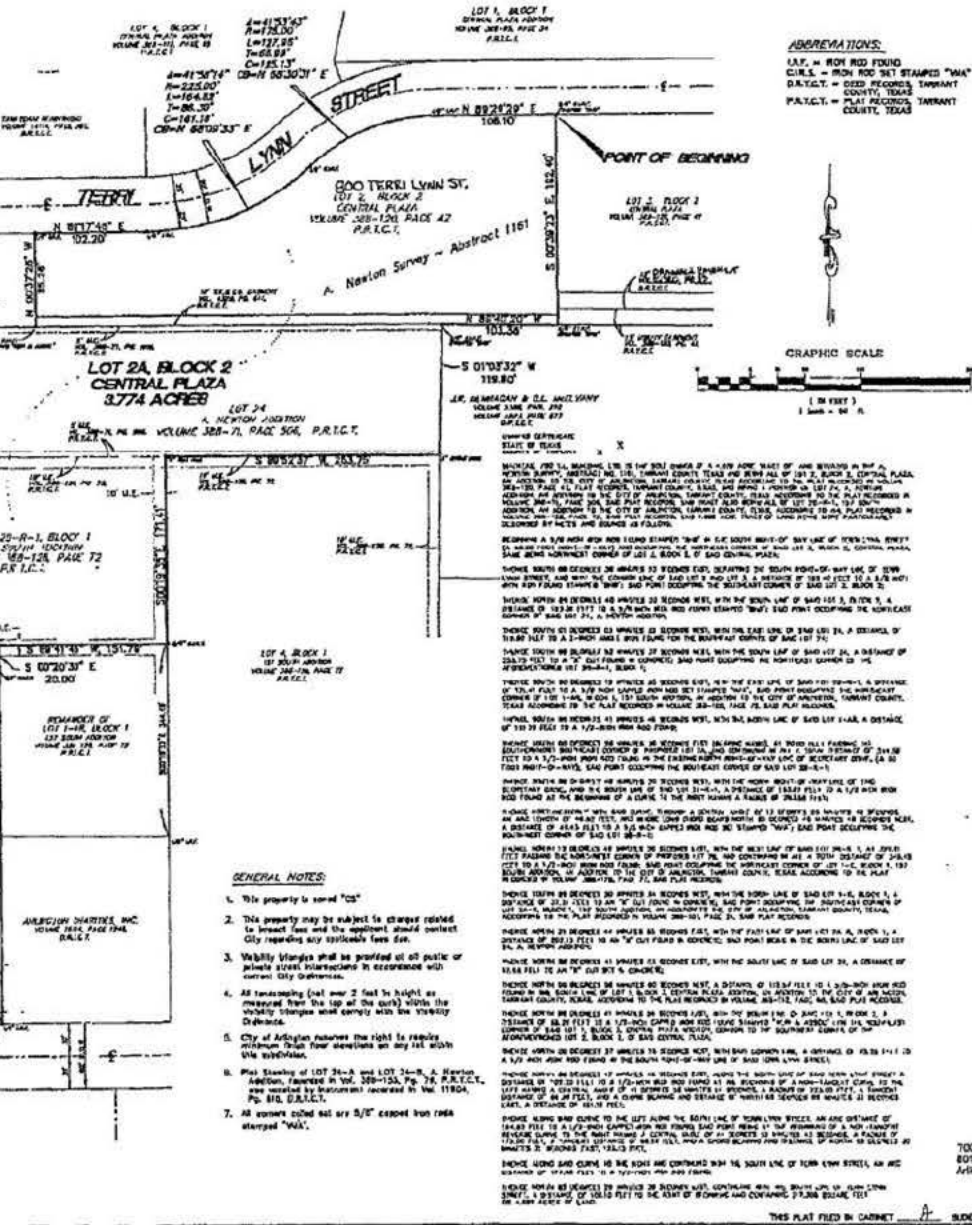


VICINITY MAP (NOT TO SCALE)

SOUTH COOPER STREET
STATE F.M. HWY. 157
(Two Road)

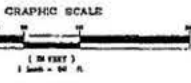
SECRETARY DRIVE
615 SECRETARY DR.
LOT 2A, BLOCK 2
CENTRAL PLAZA
1210 ACRES

LOT 2A, BLOCK 2
CENTRAL PLAZA
3774 ACRES



- GENERAL NOTES:**
- This property is zoned "C-2"
 - This property may be subject to charges related to bonded fuel and the applicant should contact City regarding any applicable fees.
 - Utility lines shall be protected at all public or private street intersections in accordance with current City Ordinances.
 - All easements (not over 2 feet in height as measured from the top of the curb) within the vicinity shown shall comply with the Utility Ordinance.
 - City of Arlington reserves the right to require minimum four feet clearance on any lot with this easement.
 - Plot showing of LOT 2A & LOT 2B, A. Newton Addition, recorded in Vol. 388-128, Page 78, P.R.C.T., see recorded by instrument recorded by the TRO, Pg. 80, D.A.R.C.T.
 - All corners staked out are 5/8" capped iron pins stamped "W.A."

ABBREVIATIONS:
 I.F.P. = IRON ROD SET STAMPED "W.A."
 D.A.R.C.T. = DEED RECORDS, TARRANT COUNTY, TEXAS
 P.A.R.C.T. = PLAT RECORDS, TARRANT COUNTY, TEXAS



WOM. THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:
 THAT, 700 T.L. BUILDING, LTD., does hereby attest that the plat depicting the herein above described real property in CENTRAL PLAZA, ADDRESS: 1018, 2A, B, BLOCK 2, in addition to the City of Arlington, Tarrant County, Texas, and is more fully detailed to the public, via the attached and accompanying plat herein.
 I hereby certify that no deed restrictions exist upon the property depicted with this plat which is a public subdivision of the property. This plat is subject to all restrictions imposed by deed restrictions authorizing residential use but restricting same to not more than two residential units per lot. I further certify that this property does not situate in a future existing deed restriction or easement, if any, on the property.
 Pursuant to Section 12.002 of the Texas Property Code, as amended by the 76th Texas Legislature, I have obtained signed forms upon being used with jurisdiction over each parcel of real property in said subdivision following that the settlement of whatever issue may arise on the real property which is the subject of this plat or report is more subject to the City of Arlington, Tarrant County, Texas for filing and recording with the Tarrant County Clerk's office.

WITNESS MY HAND at Arlington, Tarrant County, Texas, this 13 day of December, 2002

John W. Miller
John W. Miller

STATE OF TEXAS X
 COUNTY OF TARRANT X
 BEFORE ME, the undersigned authority on this day personally appeared John W. Miller known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity stated.
 GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 13 day of December 2002

Robert J. Hart
Robert J. Hart, Notary Public, Tarrant County, Texas



SURVEYOR'S CERTIFICATE
 I, the undersigned, a member of the International Professional Land Surveyors of the State of Texas, have plotted the above subdivision from an original plat prepared and filed with me, and the same correctly represents the property as described by a survey made by me or under my direct supervision.

Wm. W. Miller
December 11, 2002

Wm. W. Miller
Registered Professional Land Surveyor No. 5436
State of Texas



APPROVED: CITY OF ARLINGTON PLANNING AND ZONING COMMISSION
 November 20, 2002
Michelle Kucinski
Michelle Kucinski
Secretary, Planning & Zoning Commission

PLAT REVISION
CENTRAL PLAZA
LOTS 2A & 2B, BLOCK 2
 BEING A REVISION OF THE FOLLOWING:
 ALL OF LOT 2, BLOCK 2
 CENTRAL PLAZA
 AN ADDITION TO THE CITY OF ARLINGTON, TARRANT COUNTY, TEXAS
 ACCORDING TO THE PLAT RECORDED IN VOLUME 388-128, PAGE 42
 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS
 A PORTION OF LOT 2A
 A NEWTON ADDITION
 AN ADDITION TO THE CITY OF ARLINGTON, TARRANT COUNTY, TEXAS
 ACCORDING TO THE PLAT RECORDED IN VOLUME 388-71, PAGE 509,
 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS
 ALL OF LOT 2B-R-1, BLOCK 1
 157 SOUTH ADDITION
 AN ADDITION TO THE CITY OF ARLINGTON, TARRANT COUNTY, TEXAS
 ACCORDING TO THE PLAT RECORDED IN VOLUME 388-128, PAGE 72
 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS

DECEMBER 2002
 vlmja
 www.vlmja.com
 2002 ARS 0100
 800 W. North Blvd, Suite 2-1
 Arlington, Texas 76010
 817-460-1871

THIS PLAT FILED IN CABINET # 219 DATE 1/31/03

MSD No. 212
Exhibit 'A'

PR 1478 0633 002
CENTRAL PLAZA
BLK 2 LOTS 2A & 2B

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared JOHN R. WAGNER, as an authorized representative of ZOO TL BUILDING, known to me to be the person whose name is subscribed below who being by me first duly sworn, upon their oath, stated as follows:

I am over the age of 18 and legally competent to make this affidavit. I have personal knowledge of the facts stated herein.

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

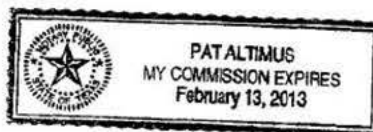
- The MSD eligibility criteria of THSC Section 361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC 361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the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

John R Wagner
Signature

Date: 8/7/12

John R. WAGNER
Printed Name

CAO / SECRETARY
Title



STATE OF Texas
COUNTY OF TARRANT

SUBSCRIBED AND SWORN before me on this the 7 day of AUGUST 2012, to which witness my hand and seal of office.

Pat Altimus
Notary Public in and for the State of Texas