

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

Protecting Texas by Reducing and Preventing Pollution

August 22, 2014

Mr. Joe Altemore, Manager
BC Station Partners, LP
4801 W. Lovers Lane
Dallas, Texas 75209

RE: Municipal Setting Designation (MSD) Certificate for BC Station Partners, LP, Northeast Quadrant of Central Expressway and Renner Road, Richardson, Collin County, TX; MSD No. 261

Dear Mr. Altemore:

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) 239-6753 or via e-mail (Joseph.Bell@TCEQ.Texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Bell".

Joe Bell, P.G., Project Manager
VCP-CA Section
Remediation Division

JNB/jdm

Enclosure: MSD Certificate No. 261

cc: Mr. Kyle Ballard, Guida, Slavich & Flores, 750 N. St. Paul Street, Suite 200, Dallas, TX, 75201
Mr. Sam Barrett, Waste Program Manager, TCEQ Region 4 Office, Dallas/Ft. 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, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 261, in the City of Richardson, 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 18th day of August, 2014

Beth Seaton

Beth Seaton, Director
Texas Commission on Environmental Quality



PRESIDENT GEORGE BUSH TURNPIKE
(STATE HIGHWAY NO. 190)
(VARIABLE WIDTH R.O.W.)

GRAPHIC SCALE IN FEET
1" = 400'

CITY OF HOUSTON
VOL. 2465, PG. 137
L.R.C.C.T.
STATE OF TEXAS
VOL. 2000, PG. 407
L.R.C.C.T.

CENTRAL EXPRESSWAY
(U.S. HIGHWAY NO. 75)
(VARIABLE WIDTH R.O.W.)

SUBSTITUTE TRUSTEES DEED
BY W. CARLITH FOUNDATION
VOL. 2222, PG. 99
L.R.C.C.T.

53.493 ACRES
2,330,140 SQ. FT.

MATCH LINE (SEE SHEET 1)

ALTA/ACSM LAND TITLE SURVEY
53.493 ACRES
JOHN G. VANCE SURVEY, ABSTRACT NO. 936
CITY OF RICHARDSON
COLLIN COUNTY, TEXAS

Kimley-Horn and Associates, Inc.
17750 Main Drive, Suite 1000
Dallas, Texas 75231
Tel. No. (972) 711-1300
Fax No. (972) 239-3820

Scale:	Drawn by:	Checked by:	Date:	Project No.:	Sheet No.:
1" = 400'	SPB	GHG	JAN 2013	085327003	1 OF 3

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LEGAL DESCRIPTION

BEING a tract of land situated in the John G. Vance Survey, Abstract No. 938, City of Richardson, Collin County, Texas and being all of a tract of land described in RTC Texas Special Warranty Deed to W.W. Caruth Jr. Foundation, recorded in Instrument No. 92-0068038, Land Records of Collin County, Texas and part of a tract of land described in Substitute Trustee's Deed to W.W. Caruth Foundation, recorded in Volume 2722, Page 90, Land Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap stamped "KHA" set at the southernmost end of a right-of-way corner clip at the intersection of the north right-of-way line of Renner Road (a variable width right-of-way) and the east right-of-way line of Central Expressway (U.S. Highway 75, a variable width right-of-way);

THENCE with said right-of-way corner clip, North 45°41'34" West, a distance of 38.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the northernmost end of said right-of-way corner clip;

THENCE with said east right-of-way line, the following courses and distances:

NORTH 5°56'47" East, a distance of 195.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 9°12'36" East, a distance of 321.49 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 24°21'13" East, a distance of 151.88 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 12°10'33" East, a distance of 265.07 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 7°26'07" West, a distance of 155.33 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 8°28'05" East, a distance of 816.60 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the southernmost end of a right-of-way corner clip at the intersection of said east right-of-way line and the south right-of-way line of President George Bush Turnpike (State Highway No. 190, a variable width right-of-way);

THENCE with said right-of-way corner clip, the following courses and distances:

North 47°37'17" East, a distance of 98.09 feet to a 3-1/2" aluminum disk found for corner, from which a 1/2" iron rod found bears North 49°09' West, a distance of 0.2 feet;

North 66°28'08" East, a distance of 98.09 feet to a 5/8" iron rod found at the beginning of a non-tangent curve to the left having a central angle of 14°01'43", a radius of 1447.00 feet, a chord bearing and distance of North 82°32'13" East, 353.41 feet;

THENCE with said south right-of-way line of the President George Bush Turnpike, the following courses and distances:

In a northeasterly direction, with said curve to the left, an arc distance of 354.29 feet to a 1/2" iron rod found at the end of said curve;

North 82°00'38" East, a distance of 129.05 feet to a 3-1/2" aluminum disk found at the intersection of said south right-of-way line and the south line of a tract of land described

in deed to Texas Utilities Electric Company, recorded in Volume 576, Page 395, Deed Records of Collin County, Texas;

THENCE departing said south right-of-way line and with said south line, North 88°47'08" East, at a distance of 699.20 feet, passing a 5/8" iron rod with plastic cap stamped "AZB" found, continuing with said south line in all a total distance of 715.15 feet to a 5/8" iron rod with plastic cap stamped "KHA" set in the west line of a tract of land described in Dedication Deed to Dallas Area Rapid Transit, recorded in Volume 5017, Page 3259, Land Records of Collin County, Texas;

THENCE departing said south line and with the west line of said Dallas Area Rapid Transit tract, South 22°45'34" East, a distance of 37.26 feet to a 5/8" iron rod with plastic cap stamped "GEOGRAM" found in the west right-of-way line of Routh West Drive (a variable width street easement);

THENCE with said west right-of-way line and said west line of the Dallas Area Rapid Transit tract, South 20°06'53" West, a distance of 459.00 feet to a "PK" nail found for corner;

THENCE departing said west right-of-way line and with said west line of the Dallas Area Rapid Transit Tract, the following courses and distances:

South 52°57'03" West, a distance of 224.85 feet to a 5/8" iron rod with plastic cap stamped "GEOGRAM" found for corner;

South 32°43'10" West, a distance of 85.51 feet to a 5/8" iron rod with plastic cap stamped "GEOGRAM" found at the southwest corner of said Dallas Area Rapid Transit tract;

THENCE with the south line of said Dallas Area Rapid Transit tract, South 89°31'24" East, a distance of 185.20 feet to a 5/8" iron rod with plastic cap stamped "KHA" set in the west line of a tract of land described in Deed to Dallas Area Rapid Transit, recorded in Volume 3424, Page 126, Land Records of Collin County, Texas at the south east corner of the first referenced Dallas Area Rapid Transit tract;

THENCE with the west line of said second referenced Dallas Area Rapid Transit tract, South 20°06'53" West, at a distance of 421.83 feet, passing a 5/8" iron rod with plastic cap stamped "GEOGRAM" found at the northeast corner of said W.W. Caruth Jr. Foundation tract, continuing with said west line, in all a total distance of 1516.53 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the intersection of said west line and the north right-of-way line of Renner Road (a variable width right-of-way);

THENCE with said north right-of-way line, the following courses and distances:

South 89°16'28" West, a distance of 215.61 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 89°14'52" West, a distance of 11.01 feet to a "X" cut in concrete found for corner;

North 79°11'32" West, a distance of 36.15 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 89°16'28" West, a distance of 57.98 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 30°48'28" East, a distance of 4.95 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 89°17'25" West, a distance of 241.17 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 0°42'35" West, a distance of 17.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 89°17'25" West, a distance of 354.40 feet to the **POINT OF BEGINNING** and containing a 53.640 gross acres or 2,336,540 gross square feet of land.

SAVE AND EXCEPT

BEING a tract of land situated in the John G. Vance Survey, Abstract No. 938, City of Richardson, Collin County, Texas and being all of a tract of land described in Deed to the City of Plano, recorded in Volume 578, Page 463, Deed Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in an interior line of a tract of land described in Substitute Trustee's Deed to W.W. Caruth Foundation, recorded in Volume 2722, Page 90, Land Records of Collin County, Texas at the northwest corner of a tract of land described in RTC Texas Special Warranty Deed to W.W. Caruth Jr. Foundation, recorded in Instrument No. 92-0068038, Land Records of Collin County, Texas and being the northeast corner of said City of Plano tract;

THENCE departing said interior line and with the west line of said W.W. Caruth Jr. Foundation tract, South 0°32'19" East, a distance of 80.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner, from which a 5/8" iron rod found bears South 73°07' East, a distance of 1.8 feet;

THENCE with said interior line of the W.W. Caruth Foundation tract, the following courses and distances:

South 89°27'41" West, a distance of 80.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 0°32'19" West, a distance of 80.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 89°27'41" East, a distance of 80.00 feet to **POINT OF BEGINNING** and containing 6,400 square feet of land resulting in a net area of 53.493 acres or 2,330,140 square feet of land.

Exhibit B
Municipal Setting Designation
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Joe Altemore, as an authorized representative of BC Station Partners GP, LLC, general partner of BC Station Partners, LP, 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.

[Signature]
Signature

Date: 3/13/14

Joe Altemore
Printed Name

Manager of BC Station Partners GP, LLC, general partner of BC Station Partners, LP
Title

STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 13 day of March 2014, to which witness my hand and seal of office.

Michelle Davenport
Notary Public in and for the State of Texas

