

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 9, 2019

Mr. Sam Satterwhite, Executive Director
Wylie Economic Development Corporation
250 South Highway 78
Wylie, Texas 75098

Re: Municipal Setting Designation (MSD) Certificate for 800 and 802 W Kirby Street Site, located at 800 and 802 West Kirby Street, Wylie, Collin County, Texas; MSD No. 420; Customer No. CN603802208; Regulated Entity No. RN110777273

Dear Mr. Satterwhite:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on May 14, 2019 and additional information supporting this MSD application on May 24, 2019, June 5, 2019 and July 24, 2019. Based on our review, the application contains the required information as outlined in Texas Health and Safety Code §361.804. Enclosed is the MSD Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-2603 or via e-mail (Heather.Podlipny@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Heather", written over a faint circular stamp.

Heather Podlipny, Project Manager
VCP-CA Section
Remediation Division

HP/jdm

Enclosure: MSD Certificate

cc: Ms. Erin Gorman, Waste Section Manager, TCEQ Dallas/Fort Worth Regional Office, R-4
Mr. Clay Snider, P.G., W&M Environmental Group (via email)
Mr. David Whitten, Guida, Slavich & Flores, P.C., 5956 Sherry Lane, Suite 1000, Dallas, Texas 75225

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):

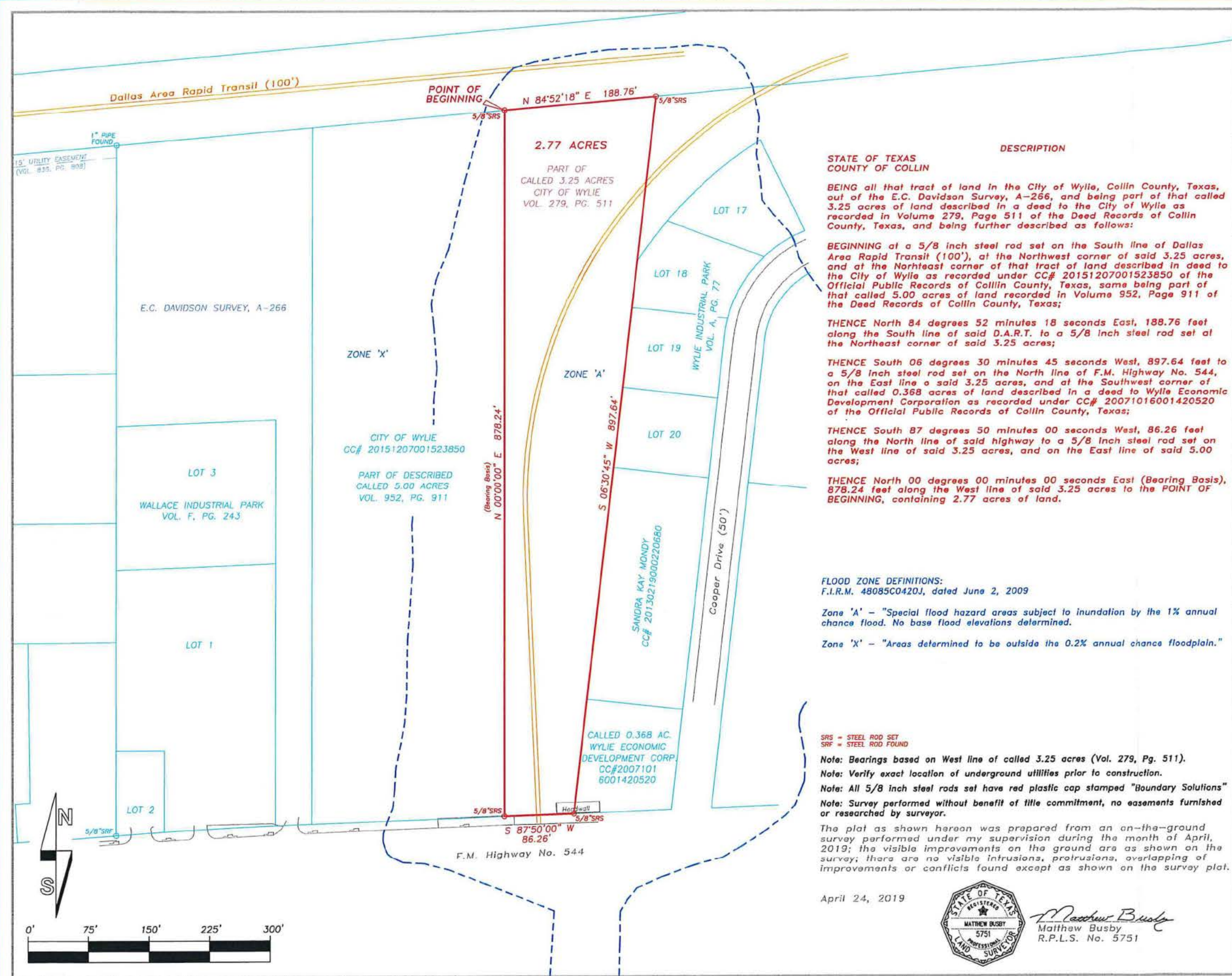
I, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 420, in the City of Wylie, for the tract of land described in Exhibit "A". The eligibility requirements of Texas Health and Safety Code §361.803 are satisfied as attested to by the affidavit in Exhibit "B", provided pursuant to Texas Health and Safety Code §361.804(b)(2)(D). This certificate shall continue in effect so long as the ordinance or restrictive covenant required by Texas Health and Safety Code §361.8065 remains in effect.

Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on Environmental Quality environmental remediation regulation, as modified by Texas Health and Safety Code §361.808.

EXECUTED this the 9th day of September, 2019

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality



BOUNDARY SURVEY

2.77 ACRES
E.C. DAVIDSON SURVEY, A-266
CITY OF WYLIE
COLLIN COUNTY, TEXAS

Boundary Solutions Inc.
Professional Land Surveyors

P.O. BOX 250
CADDO MILLS, TX 75135
OFFICE: 214-499-8472
CELL: 972-752-7654

COMMERCIAL AND RESIDENTIAL
BOUNDARY, TOPOGRAPHIC, &
ALTA/ACSM LAND TITLE
SURVEYS

CLIENT:

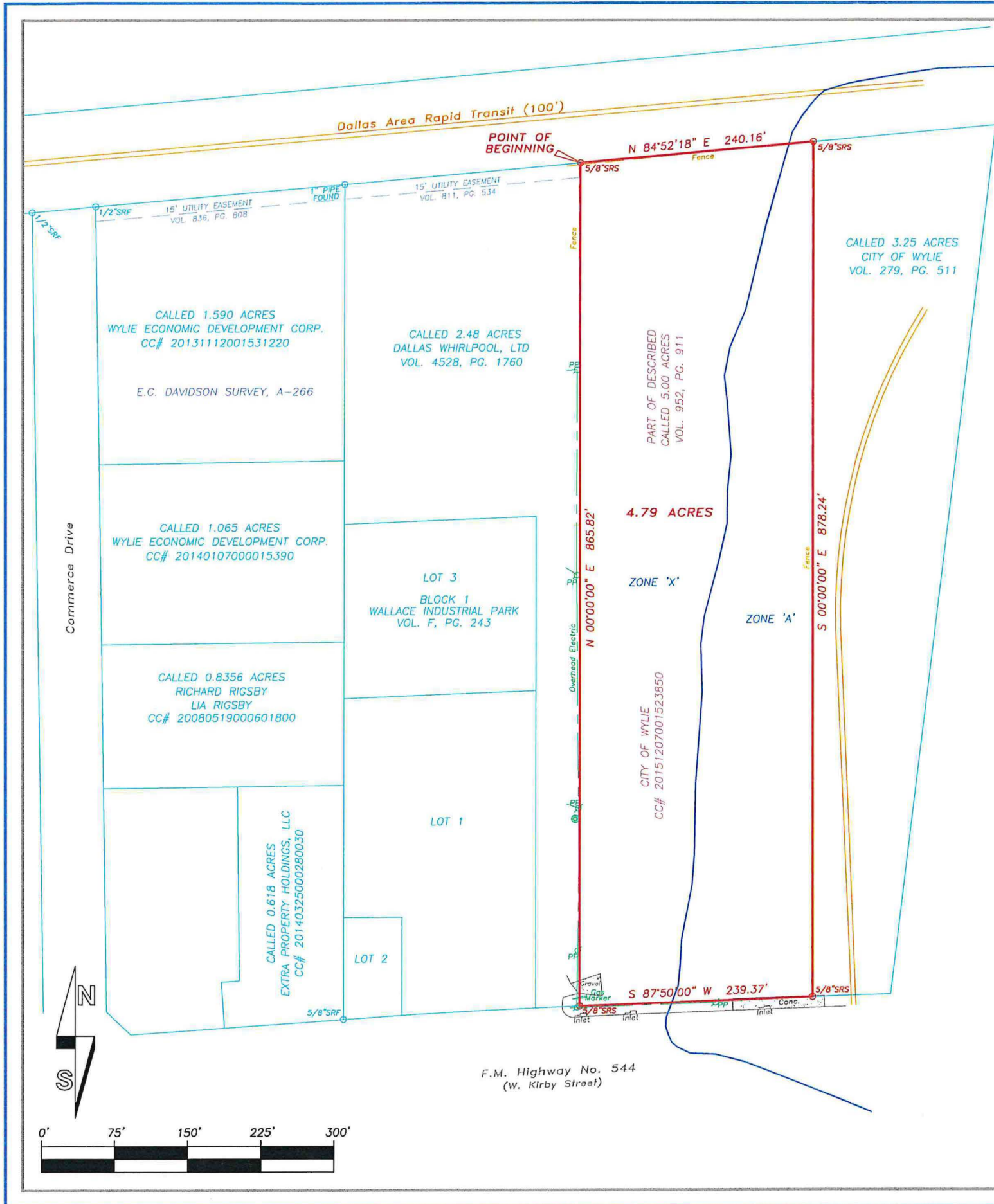
Wylie Economic
Development
Corporation

No Schedule B Provided

Drawn by: mjb
B.S.I. Job# 1904-018



Matthew Busby
Matthew Busby
R.P.L.S. No. 5751



STATE OF TEXAS
COUNTY OF COLLIN

DESCRIPTION

BEING all that tract of land in the City of Wylie, Collin County, Texas, out of the E.C. Davidson Survey, A-266, being that tract of land described in deed to the City of Wylie as recorded under CC# 20151207001523850 of the Official Public Records of Collin County, Texas, same being part of that called 5.00 acres of land recorded in Volume 952, Page 911 of the Deed Records of Collin County, Texas, and being further described as follows:

BEGINNING at a 5/8 Inch steel rod set on the South line of Dallas Area Rapid Transit (100'), at the Northwest corner of said 5.00 acres, and at the Northeast corner of that called 2.48 acres of land described in a deed to Dallas Whirlpool, LTD as recorded in Volume 4528, Page 1760 of the Land Records of Collin County, Texas;

THENCE North 84 degrees 52 minutes 18 seconds East, 240.16 feet along the South line of said D.A.R.T. to a 5/8 inch steel rod set at the Northeast corner of said 5.00 acres, and at the Northwest corner of that called 3.25 acres of land described in a deed to the City of Wylie as recorded in Volume 279, Page 511 of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 00 minutes 00 seconds East, 878.24 feet along the common line of said 5.00 acres and said 3.25 acres to a 5/8 inch steel rod set on the North line of F.M. Highway No. 544;

THENCE South 87 degrees 50 minutes 00 seconds West, 239.37 feet along the North line of said F.M. Highway No. 544 to a 5/8 inch steel rod set at the Southeast corner of said 2.48 acres;

THENCE North 00 degrees 00 minutes 00 seconds East, 865.82 feet to the POINT OF BEGINNING, containing 4.79 acres of land.

FLOOD ZONE DEFINITIONS:
F.I.R.M. 48085C0420J, dated June 2, 2009

Zone 'A' - "Special flood hazard areas subject to inundation by the 1% annual chance flood. No base flood elevations determined.

Zone 'X' - "Areas determined to be outside the 0.2% annual chance floodplain."

Notes Corresponding to Schedule B:

10.f.) 15' Utility Easement, Vol. 811, Pg. 534 - Shown hereon.

SRS = STEEL ROD SET
SRF = STEEL ROD FOUND

Note: Bearings based on West line of called 2.48 acres (Vol. 4528, Pg. 1760).

Note: Verify exact location of underground utilities prior to construction.

Note: All 5/8 Inch steel rods set have red plastic cap stamped "Boundary Solutions"

The plat as shown hereon was prepared from an on-the-ground survey performed under my supervision during the month of October, 2016; the visible improvements on the ground are as shown on the survey; there are no visible intrusions, protrusions, overlapping of improvements or conflicts found except as shown on the survey plat.

October 5, 2016



Matthew Busby
Matthew Busby
R.P.L.S. No. 5751

BOUNDARY SURVEY

4.79 ACRES
E.C. DAVIDSON SURVEY, A-266
CITY OF WYLIE
COLLIN COUNTY, TEXAS

Boundary Solutions Inc.
Professional Land Surveyors

P.O. BOX 250
CADDO MILLS, TX 75135
OFFICE: 214-499-8472
FAX: 972-782-7611
EMAIL: [REDACTED]

COMMERCIAL AND RESIDENTIAL
BOUNDARY, TOPOGRAPHIC, &
ALTA/ACSM LAND TITLE
SURVEYS

CLIENT:

Wylie Economic
Development
Corporation

G.F.# 1913502851
Address:
900 W. Kirby St.

Drawn by: mjb
B.S.I. Job# 1609-015

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Sam Satterwhite, as an authorized representative of Wild Economic Development Corp, 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)

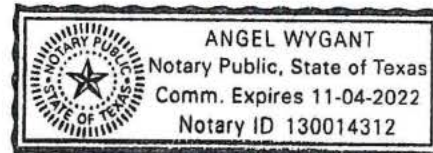
- The MSD eligibility criteria of THSC Section 361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC 361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the 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.

Sam Satterwhite
Signature

Date: 4-23-19

Sam Satterwhite
Printed Name

Executive Director
Title



STATE OF TEXAS
COUNTY OF COLLIN

April 2019, SUBSCRIBED AND SWORN before me on this the 23rd day of _____, to which witness my hand and seal of office.

Angel Wygant
Notary Public in and for the State of TEXAS