

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 15, 2019


Mr. William H. Biesel, Jr., President
BSL, Inc.
2012 East Randol Mill Road, Suite 208
Arlington, Texas 76011

Re: Municipal Setting Designation (MSD) Certificate for Stadium and Fairview Properties Site,
Located at 110, 114, 118, and 122 Stadium Drive and 109, 115, 119, and 123 Fairview
Drive, Arlington, Tarrant County, Texas; MSD No. 414; Customer No. CN605477819;
Regulated Entity No. RN110281136

Dear Mr. Biesel:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on March 29, 2019 and additional information supporting this MSD application on June 20, 2019. Based on our review, the application contains the required information as outlined in Texas Health and Safety Code (THSC) §361.804. Enclosed is the MSD Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-1471 or via e-mail at Iryna.Kushnirsky@tceq.texas.gov.

Sincerely,


Iryna Kushnirsky, Team Leader
VCP-CA Section
Remediation Division

IK/HP/jdm

Enclosure: MSD Certificate

cc: Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Dallas/Fort Worth
Mr. Jack McCraine, Terracon Consultants, Inc., 2501 East Loop 820 North, Fort Worth,
Texas 76118
Mr. David Whitten, Guida, Slavich & Flores, 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. 414, 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 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 7th day of August, 2019

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

**MSD18-1
EXHIBIT "A"
PROPERTY DESCRIPTION**

Being a 4.275 acre tract of land situated in the Joel Blackwell Survey, Abstract No.147, Tarrant County, Texas and being all of Lot G, Block 4, Hillview Addition, as conveyed to BSL Inc., as recorded in Volume 9515, Page 254, Deed Records, Tarrant County, Texas, and being all of Lot F, Block 4, Hillview Addition, as conveyed to BSL Inc. Etal, as recorded in Document No D212317744, County Clerk Records, Tarrant County, Texas, and being all of Lot J, Block 4, Hillview Addition, as conveyed to Biesel William H Etal, as recorded in Volume 388-51, Page 41, Plat Records, Tarrant County, Texas, and being all of Lot K, Block 4, Hillview Addition, as conveyed to BSL Inc., as recorded in Document No D212317765, County Clerk Records, Tarrant County, Texas, and being a portion of Lot F, Block 4, Hillview Addition, as conveyed to BSL Inc., as recorded in Document No D212317739, County Clerk Records, Tarrant County, Texas, and being a portion of Lot E, Block 4, Hillview Addition, as conveyed to BSL Inc., as recorded in Document No D212316148, County Clerk Records, Tarrant County, Texas, and being a portion of Lot D, Block 4, Hillview Addition, as conveyed to William H. Biesel Jr., as recorded in Document No D212316180, County Clerk Records, Tarrant County, Texas, and being a portion of Lot C, Block 4, Hillview Addition, as conveyed to William H. Biesel, as recorded in Document No Volume 388-51, Page 41, Plat Records, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a found 5/8 inch iron rod, being the southwest corner of said Lot K, and being the northwest corner of Lot 8, Block 4, Hillview Addition, as conveyed to Lane Supply Inc., as recorded in Document No. D214256820, County Clerk Records, Tarrant County, Texas, and also being in the existing public east right-of-way line of Fairview Street (having a 55' R.O.W.);

THENCE North 01°11'03" East, along said existing public east right-of-way line, a distance of 460.00 feet to a set 1/2 inch iron rod with cap stamped "Graham Assoc. Inc." (GAI), being at the intersection of said existing public east right-of-way line, and the existing public south right-of-way line of a 20' Public Alley (having a 20' R.O.W.);

THENCE North 89°16'45" East, leaving said existing public east right-of-way line, along the existing public south right-of-way line of said 20' Public Alley, a distance of 225.62 feet to a set 1/2 inch iron rod with GAI cap, being in the existing public west right-of-way line of said 20' Public Alley;

THENCE South 63°51'01" East, leaving the existing public west right-of-way line of said 20' Public Alley, a distance of 22.12 feet to a found 1/2 inch iron rod, being in the existing public east right-of-way line of said 20' Public Alley, and being in the south line of Lot L, Block 4, Hillview Addition, as conveyed to City of Arlington, as recorded in Document No. D212259920, County Clerk Records, Tarrant County, Texas;

THENCE South 88°48'57" East, leaving the existing public east right-of-way line of said 20' Public Alley, along the south line of said Lot L, a distance of 129.94 feet to a set 1/2 inch iron rod with GAI cap, being the southeast corner of said Lot L, and being in the

existing public west right-of-way line of Stadium Drive (having a variable width Right-Of-Way);

THENCE South 07°39'53" East, along said existing public west right-of-way line, being a common line, a distance of 314.63 feet to a set 1/2 inch iron rod with GAI cap, for the beginning of a tangent curve to the right having a radius of 937.01 feet, a central angle of 08°22'15", and a long chord which bears South 03°28'46" East, 136.77 feet;

THENCE along said common line, and along said tangent curve to the right, an arc distance of 136.89 feet to a set 1/2 inch iron rod with GAI cap, being the northeast corner of Lot B1, Block 4, Hillview Addition, as recorded in Volume 388-271, Page 105, Plat Records, Tarrant County, Texas, and being in said existing public west right-of-way line;

THENCE North 88°52'01" West, leaving said existing public west right-of-way line, along the north line of said Lot B1, a distance of 77.23 feet to a set 1/2 inch iron rod with GAI cap, being the northwest corner of said Lot B1, and being the northeast corner of a tract of land conveyed to Descendants Testamentary Trust, as recorded in Document No. D214256820, County Clerk Records, Tarrant County, Texas;

THENCE South 89°47'32" West, along the north line of said Descendants Testamentary Trust tract, a distance of 112.31 feet to a found PK nail, being the northwest corner of said Descendants Testamentary Trust tract, and being in the existing public east right-of-way line of said 20' Public Alley;

THENCE South 89°16'45" West, leaving said northwest corner of Descendants Testamentary Trust tract, and leaving the existing public east right-of-way line of said 20' Public Alley, a distance of 20.01 feet to a set 1/2 inch iron rod with GAI cap, being the northeast corner of said Lot 8, and being in the existing public west right-of-way line of said 20' Public Alley;

THENCE South 89°16'45" West, leaving the existing public east right-of-way line of said 20' Public Alley, along the north line of said Lot 8, a distance of 225.62 feet to the POINT OF BEGINNING and CONTAINING 186,232 square feet, 4.275 acres of land, more or less.

UNION PACIFIC RAILROAD

CITY OF ARLINGTON
LOT F, BLOCK 4
HILLVIEW ADDITION
DOC. NO. 021229920
C.C.A.T.C.T.

20' PUBLIC ALLEY (BROWNING DRIVE)
N89° 16' 45"E 225.62'

S63° 51' 01"E
22.12'

FOUND 1/2" IRON ROD
S89° 48' 57"E 129.94'

B.S.L. INC.
LOT F, BLOCK 4
HILLVIEW ADDITION
VOL. 308-51, PG. 254
C.C.A.T.C.T.

B.S.L. INC.
LOT F, BLOCK 4
HILLVIEW ADDITION
DOC. NO. 021231738
C.C.A.T.C.T.

B.S.L. INC. ETAL
LOT F, BLOCK 4
HILLVIEW ADDITION
DOC. NO. 021231774
C.C.A.T.C.T.

B.S.L. INC.
LOT F, BLOCK 4
HILLVIEW ADDITION
DOC. NO. 021231648
C.C.A.T.C.T.

BESEL WILLIAM H ETAL
LOT J, BLOCK 4
HILLVIEW ADDITION
VOL. 308-51, PG. 41
P.A.T.C.T.

B.S.L. INC.
LOT K, BLOCK 4
HILLVIEW ADDITION
DOC. NO. 021231776
C.C.A.T.C.T.

WILLIAM H. BESEL
LOT G, BLOCK 4
HILLVIEW ADDITION
VOL. 308-51, PG. 41
P.A.T.C.T.

B.S.L. INC.
LOT B1, BLOCK 4
HILLVIEW ADDITION
VOL. 308-51, PG. 105
P.A.T.C.T.

DESCENDANTS TESTAMENTARY TRUST
DOC. NO. 021230277
C.C.A.T.C.T.

FANVIEW STREET
(24' RIGHT-OF-WAY)

N11° 11' 03"E 480.00'

JOEL BLACKWELL SURVEY
ABSTRACT NO. 147

20' PUBLIC ALLEY (BROWNING DRIVE)

STADIUM DRIVE
(WARRANT WITH RECORDS)

Δ=8° 22' 15"
R=937.01'
T=68.57'
L=136.89'
S3° 28' 46"E
L=136.77'

S89° 16' 45"W 225.62'

POINT OF BEGINNING
FOUND 1/2" IRON ROD

LANE SUPPLY INC.
LOT B, BLOCK 4
HILLVIEW ADDITION
DOC. NO. 021425820
C.C.A.T.C.T.

S89° 16' 45"W
20.01'

S89° 47' 32"W 112.31'

FOUND PK
MAL

B.S.L. INC.
LOT B1, BLOCK 4
HILLVIEW ADDITION
VOL. 308-51, PG. 105
P.A.T.C.T.

LEGAL DESCRIPTION

Being a 4.275 acre tract of land situated in the Joel Blackwell Survey, Abstract No.147, Tarrant County, Texas and being all of Lot G, Block 4, Hillview Addition, as conveyed to B.S.L. Inc., as recorded in Volume 3015, Page 254, Deed Records, Tarrant County, Texas, and being all of Lot F, Block 4, Hillview Addition, as conveyed to B.S.L. Inc., as recorded in Document No 021231774, County Clerk Records, Tarrant County, Texas, and being all of Lot J, Block 4, Hillview Addition, as conveyed to Besel William H Etal, as recorded in Volume 308-51, Page 41, Plat Records, Tarrant County, Texas, and being all of Lot K, Block 4, Hillview Addition, as conveyed to B.S.L. Inc., as recorded in Document No 021231776, County Clerk Records, Tarrant County, Texas, and being a portion of Lot F, Block 4, Hillview Addition, as conveyed to B.S.L. Inc., as recorded in Document No 0212317738, County Clerk Records, Tarrant County, Texas, and being a portion of Lot E, Block 4, Hillview Addition, as conveyed to B.S.L. Inc., as recorded in Document No 021231648, County Clerk Records, Tarrant County, Texas, and being a portion of Lot D, Block 4, Hillview Addition, as conveyed to William H. Besel, Jr., as recorded in Document No 0212316180, County Clerk Records, Tarrant County, Texas, and being a portion of Lot C, Block 4, Hillview Addition, as conveyed to William H. Besel, as recorded in Document No Volume 308-51, Page 41, Plat Records, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a found 5/8 inch iron rod, being the southwest corner of said Lot K, and being the northwest corner of Lot G, Block 4, Hillview Addition, as conveyed to Lane Supply Inc., as recorded in Document No. 021425820, County Clerk Records, Tarrant County, Texas, and also being in the existing public east right-of-way line of Fanview Street (having a 55' R.O.W.);

THENCE North 01°11'03" East, along said existing public east right-of-way line, a distance of 480.00 feet to a set 1/2 inch iron rod with cap stamped "Graham Assoc. Inc." (GAI), being at the intersection of said existing public east right-of-way line, and the existing public south right-of-way line of a 20' Public Alley (having a 55' R.O.W.);

THENCE North 89°16'45" East, leaving said existing public east right-of-way line, along the existing public south right-of-way line of said 20' Public Alley, a distance of 225.62 feet to a set 1/2 inch iron rod with GAI cap, being in the existing public west right-of-way line of said 20' Public Alley;

THENCE South 63°51'01" East, leaving the existing public west right-of-way line of said 20' Public Alley, a distance of 22.12 feet to a found 1/2 inch iron rod, being in the existing public east right-of-way line of said 20' Public Alley, and being in the southeast corner of Lot L, Block 4, Hillview Addition, as recorded in Document No. 021229920, County Clerk Records, Tarrant County, Texas;

THENCE South 89°48'57" East, leaving the existing public east right-of-way line of said 20' Public Alley, along the south line of said Lot L, a distance of 129.94 feet to a set 1/2 inch iron rod with GAI cap, being the southwest corner of said Lot L, and being in the existing public west right-of-way line of Stadium Drive (having a variable width Right-Of-Way);

THENCE South 07°30'53" East, along said existing public west right-of-way line, being a common line, a distance of 314.63 feet to a set 1/2 inch iron rod with GAI cap, for the beginning of a long curve to the right having a radius of 937.01 feet, a central angle of 08°22'15", and a long chord which bears South 03°28'46" East, 136.77 feet;

THENCE along said common line, and along said long curve to the right, an arc distance of 136.89 feet to a set 1/2 inch iron rod with GAI cap, being the northeast corner of Lot B1, Block 4, Hillview Addition, as recorded in Volume 308-271, Page 105, Plat Records, Tarrant County, Texas, and being in said existing public east right-of-way line;

THENCE North 89°52'01" West, leaving said existing public east right-of-way line, along the north line of said Lot B1, a distance of 77.23 feet to a set 1/2 inch iron rod with GAI cap, being the northwest corner of said Lot B1, and being the northeast corner of a tract of land conveyed to Descendants Testamentary Trust, as recorded in Document No. 021425820, County Clerk Records, Tarrant County, Texas;

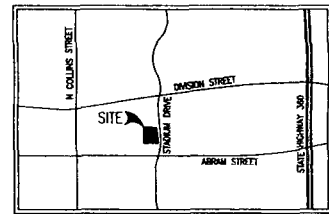
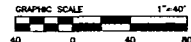
THENCE South 89°47'32" West, along the north line of said Descendants Testamentary Trust tract, a distance of 112.31 feet to a found PK nail, being the northwest corner of said Descendants Testamentary Trust tract, and being in the existing public east right-of-way line of said 20' Public Alley;

THENCE South 89°16'45" West, leaving said northwest corner of Descendants Testamentary Trust tract, and leaving the existing public east right-of-way line of said 20' Public Alley, a distance of 20.01 feet to a set 1/2 inch iron rod with GAI cap, being the northeast corner of said Lot B, and being in the existing public west right-of-way line of said 20' Public Alley;

THENCE South 89°16'45" West, leaving the existing public east right-of-way line of said 20' Public Alley, along the north line of said Lot B, a distance of 225.62 feet to the POINT OF BEGINNING and CONTAINING 195,232 square feet, 4.275 acres of land, more or less.

LEGEND

SR = SET 1/2 INCH IRON ROD WITH CAP STAMPED "GRAHAM ASSOC. INC."
C.C.A.T.C.T. = COUNTY CLERK RECORDS, TARRANT COUNTY, TEXAS
D.R.T.C.T. = DEED RECORDS, TARRANT COUNTY, TEXAS
P.A.T.C.T. = PLAT RECORDS, TARRANT COUNTY, TEXAS
VOL. = VOLUME
PG. = PAGE
DOC. = DOCUMENT



VICINITY MAP
(NOT TO SCALE)

GENERAL NOTES

- The bearings shown herein are grid bearings derived from GPS observations of the City of Arlington Geographic Control, which is reported to be based on the Texas Coordinate System (NAD 83), North Central Zone (4202).
- According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency of the Homeland Security Administration, the subject properties shown herein appear to not be located within any flood plain or flood prone area, according to the Flood Insurance Rate Map, Map No. 484380C355K, Map Revised July 7, 2014. This flood statement does not imply that the property will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.
- No visible improvements and/or buildings were located on a part of this Boundary Survey.
- This survey was done without the luxury of a Title Commitment.
- All property corners are set 1/2 inch iron rods with caps stamped "Graham Assoc. Inc." unless otherwise noted.

SURVEYOR'S CERTIFICATE

This is to certify that I, Michael L. Peterson, a Registered Professional Land Surveyor in the State of Texas, having plotted the above subdivision from an actual survey on the ground, and that all lot corners, angle points and points of curvature have been properly marked on the ground, and that this plot correctly represents that survey made by me or under my direction and supervision.

Michael L. Peterson 02/11/2018
Date
Michael L. Peterson
Registered Professional Land Surveyor
Texas Registration No. 5999



BOUNDARY SURVEY

4.275 ACRES
LOTS G, H, J, K, F, E, D & C, BLOCK 4
HILLVIEW ADDITION
JOEL BLACKWELL SURVEY, ABSTRACT NO. 147
CITY OF ARLINGTON, TARRANT COUNTY, TEXAS

GRIBSHY ASSOCIATES, INC.
CONSULTING ENGINEERS & PLANNERS
300 W. FAYETTE STREET, SUITE 200
ARLINGTON, TEXAS 76010
817.261.7777 • FAX 817.261.7778

DRAWN BY: GH PROJECT NO. 888 SHEET 1 OF 1
DATE: 02/09/18 SHEET 1 OF 1

PAGE 1 OF 1

Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared William Biesel, Jr., as an authorized representative of BSL, Inc., 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.

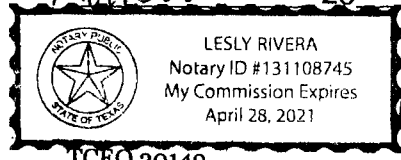
William Biesel Jr.
Signature

Date: March 22, 2019

William Biesel, Jr.
Printed Name
President of BSL, Inc.
Title

STATE OF TEXAS
COUNTY OF Tarrant

SUBSCRIBED AND SWORN before me on this the 22th day of March 2019, to which witness my hand and seal of office.



[Signature]
Notary Public in and for the State of TEXAS