

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 20, 2020

Mr. Don Clemens, General Manager
Raytheon Company
P.O. Box 660246
MS 552
Dallas, Texas 75266

Re: Raytheon-Lemon Inwood Property, 5704/6000 Lemon Avenue, and 3625/3717 Inwood Road, Dallas, Dallas County, TX; Municipal Setting Designation (MSD) No. 428; Customer No. CN600130488; Regulated Entity No. RN102503968

Dear Mr. Clemens:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on November 19, 2019 and additional information supporting this MSD application on February 25, 2020. Based on our review, the application contains the required information as outlined in Texas Health and Safety Code (THSC) §361.804. Enclosed is the Municipal Setting Designation Certification for your site. If you have any questions, please do not hesitate to contact me at (512) 239-2445 or via e-mail (Otu.Ekpo-Otu@tceq.texas.gov).

Sincerely,

Otu Ekpo-Otu for:

Otu Ekpo-Otu, P.G., PM
VCP-CA Section
Remediation Division

OE/jdm

cc: Mr. Bart Gaskill, Apex Companies, 12100 Ford Road, Suite 401, Dallas, TX 75234
Mr. Tyler Beauchamp, Raytheon Company, P.O. Box 660246, MS 552, Dallas, TX 75266
Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Dallas/Fort Worth

Enclosure: MSD Certificate

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, Maria Lebron, Assistant Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 428, in the City of Dallas, 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 18 day of March, 2020.

A handwritten signature in black ink, appearing to read "Maria Lebron".

Maria Lebron, Assistant Director
Remediation Division
Texas Commission on Environmental Quality

EXHIBIT A

Page 1 of 5

20.632 Acres

Being All Of

LOT 1, BLOCK 2/5696

RAYTHEON-DALLAS LEMMON AVENUE ADDITION

And

LOT 3, BLOCK 2/5696

CAMPBELL LEMMON AVENUE ADDITION

And

Adjoining Public Right-of-ways

Miles Bennett Survey, Abstract No. 52

City of Dallas

Dallas County, Texas

BEING 20.632 acres of land situated in the City of Dallas, in the Miles Bennett Survey, Abstract No. 52 of Dallas County, Texas and being all of Lot 1, Block 2/5696 of RAYTHEON-DALLAS LEMMON AVENUE ADDITION, an addition to the City of Dallas, according to the plat thereof, recorded in Instrument No. 200600036809, Plat Records of Dallas County, Texas (P.R.D.C.T.), all of Lot 3, Block 2/5696 of CAMPBELL LEMMON AVENUE ADDITION, an addition to the City of Dallas, according to the plat thereof, recorded in Instrument No. 200900038703, P.R.D.C.T. and a portion of the right-of-way's of Lemmon Avenue, Atwell Street and Inwood Road that adjoin said Lot 1, Block 2/5696 and Lot 3, Block 2/5696, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the most Easterly Northeast corner of said Lot 1, Block 2/5696, on the Westerly right-of-way line of Inwood Road (100' wide R.O.W.) and same being the most Southerly corner of that certain tract of land conveyed to Chevelle Apartment Group, LLC, recorded in Instrument No. 201200127888, Official Public Records of Dallas County, Texas (O.P.R.D.C.T.);

THENCE: South 49 deg. 37 min. 27 sec. East, across said Inwood Road, a distance of 100.17 feet to a point for corner on the Easterly right-of-way line of said Inwood Road and same being the Westerly line of City of Dallas Block 2477 and of that certain tract of land conveyed to Fairfax Apartments, Ltd. by deed recorded in Volume 2001059, Page 469, Deed Records of Dallas County, Texas (D.R.D.C.T.) and said point also being in a non-tangent curve to the left, having a radius of 905.37 feet and a chord that bears South 26 deg. 02 min. 48 sec. West - 337.11 feet;

THENCE: Along the common line of said Inwood Road and said Block 2477 and with said curve to the left, through a central angle of 21 deg. 27 min. 31 sec. and along an arc distance of 339.08 feet to a point for corner at the end of said curve;

THENCE: South 15 deg. 13 min. 18 sec. West, continuing along the common line of said Inwood Road and said Block 2477, a distance of 3.83 feet to a point for corner;

THENCE: North 74 deg. 46 min. 18 sec. West, across said Inwood Road, at 100.00 feet, passing a 1/2 inch iron rod found on the Westerly right-of-way line of said Inwood Road and same being a common corner of said Lot 1, Block 2/5696 and that certain tract of land conveyed by deed to Kayceetee Partners, LLC, recorded in Instrument No. 201200379576, O.P.R.D.C.T. and continuing with said common line for a total distance of 289.47 feet to a 1/2 inch iron rod found for an inside ell corner of said Lot 1, Block 2/5696 and the Northwest corner of said Kayceetee tract;

THENCE: South 04 deg. 21 min. 37 sec. East, continuing along the common line of said Lot 1, Block 2/5696 and Kayceetee tract and also with the Westerly line of that certain tract of land conveyed by deed to Kings Road Reality, LTD, recorded in Instrument No. 200600388754, O.P.R.D.C.T., a distance of 192.29 feet to a 1/2 inch iron rod with a plastic cap stamped "RPLS 4701", found for corner;

THENCE: South 48 deg. 47 min. 50 sec. West, continuing along the common line of said Lot 1, Block 2/5696 and Kings Road Reality tract, a distance of 177.93 feet to a 3/8 inch iron rod found for corner on the Northeasterly line of the above described Lot 3, Block 2/5696 of Campbell Lemmon Avenue Addition;

THENCE: South 43 deg. 37 min. 40 sec. East, along the common line of said Lot 3, Block 2/5696 and Kings Road Reality tract, at 178.00 feet, passing the most Easterly corner of said Lot 3, Block 2/5696, at the Westerly right-of-way line of said Inwood Road and continuing on across said Inwood Road for a total distance of 278.11 feet to a point for corner on the Easterly right-of-way line of Inwood Road and same being the Westerly line of Lot 1D, Block A/2476, Lemmonwood Shopping Center, an addition to the City of Dallas, according to the plat thereof, recorded in Volume 93157, Page 4033, P.R.D.C.T.;

THENCE: South 42 deg. 54 min. 34 sec. West, along the common line of said Inwood Road and Lot 1D, Block A/2476 and also Lot 2, Block A/2476, a distance of 178.74 feet to a point for corner;

THENCE: North 46 deg. 09 min. 11 sec. West, across said Inwood Road, a distance of 100.02 feet to the Southerly East corner of the above described Lot 3, Block 2/5696 of Campbell Lemmon Avenue Addition and same being the most Easterly corner of that certain parcel of land described in a deed to Dallas Area Rapid Transit (D.A.R.T.), recorded in Volume 2004205, Page 6111, D.R.D.C.T.;

THENCE: South 89 deg. 10 min. 59 sec. West, along the common line of said Lot 3, Block 2/5696 and D.A.R.T. parcel, a distance of 16.54 feet to the Southerly West corner of said Lot 3, Block 2/5696 and same being the most Westerly corner of said D.A.R.T. parcel and said point also being on the Northeasterly right-of-way line of Lemmon Avenue (100' wide R.O.W.);

THENCE: South 44 deg. 41 min. 47 sec. West, across said Lemmon Avenue, a distance of 100.12 feet to a point for corner on the Southwesterly right-of-way line of said Lemmon Avenue and same being the Northeasterly line of Lot 1, Block A/5716 of Weichsel Farm, an addition to the City of Dallas, according to the plat thereof, recorded in Instrument No. 20070051550, P.R.D.C.T.,

THENCE: North 45 deg. 40 min. 47 sec. West, along the common line of said Lot 1, Block A/5716 and Lemmon Avenue for a distance of 53.17 feet to a point for corner at the beginning of a curve to the right, having a radius of 1,959.86 feet and a chord that bears North 38 deg. 45 min. 42 sec. West - 420.49 feet;

THENCE: Along the common line of said Lemmon Avenue, Lot 1, Block A/5716 and the Northeasterly line of Lot 3, Block A/5716 of Coca Cola Bottling Works Addition, an addition to the City of Dallas, according to the plat thereof, recorded in Volume 80087, Page 1117, P.R.D.C.T. and with said curve to the right, through a central angle of 12 deg. 19 min. 00 sec. and along an arc distance of 421.30 feet to a point for corner at the end of said curve;

THENCE: North 32 deg. 36 min. 21 sec. West, continuing along the common line of said Lemmon Avenue and said Lot 3, Block A/5716, at 491.04 feet, passing the Northeast corner of said Lot 3, Block A/5716 at the intersection of the Southwesterly right-of-way line of said Lemmon Avenue and the Southerly right-of-way line of Atwell Street (50' wide R.O.W.) and continuing across said Atwell Street a total distance of 542.22 feet to a 1 inch iron rod found at the intersection of the Southwesterly right-of-way line of said Lemmon Avenue and the Northerly right-of-way line of said Atwell Street for the Southeasterly corner of Lot 1, Block C/5715 of Hagggar Way, an addition to the City of Dallas, according to the plat thereof, recorded in Volume 2004117, Page 11, P.R.D.C.T.;

THENCE: North 51 deg. 20 min. 40 sec. East, across said Lemmon Avenue, a distance of 100.82 feet to a point at the intersection of the Northeasterly right-of-way line of Lemmon Avenue and the Northerly right-of-way line of said Atwell Street for the Southwesterly corner of Lot 1, Block 1/5696 of Home Depot Intown Addition, an addition to the City of Dallas, according to the plat thereof, recorded in Volume 97124, Page 4453, P.R.D.C.T.;

THENCE: North 57 deg. 21 min. 30 sec. East (Reference Bearing), along the common line of said Atwell Street and Lot 1, Block 1/5696 and Lot 3, Block 1/5696 of Prescott Interests Atwell Addition, an addition to the City of Dallas, according to the plat recorded in Volume 2005075, Page 58, P.R.D.C.T. and a tract of land conveyed to Bordeaux Village Condominiums by deed recorded in Volume 2003196, Page 4392, Deed Records of Dallas County, Texas (D.R.D.C.T.), a distance of 965.29 feet to a point for corner at the beginning of a curve to the right, having a radius of 456.23 feet and a chord that bears North 79 deg. 14 min. 17 sec. East - 340.04 feet;

THENCE: Continuing along the common line of said Atwell street and Bordeaux Village Condominiums tract and with said curve to the right, through a central angle of 43 deg. 45 min. 34 sec. and along an arc distance of 348.44 feet to a point for corner at the beginning of a non-tangent curve to the left, having a radius of 496.48 feet and a chord that bears South 26 deg. 33 min. 30 sec. West - 410.36 feet;

THENCE: Across said Atwell Street along said curve to the left, through a central angle of 48 deg. 49 min. 17 sec., at an arc distance of 64.24 feet, passing an X found in concrete for the most Northerly Northeast corner of said Lot 1, Block 2/5696, on the Southerly right-of-way line of said Atwell Street and same being the Northwest corner of that certain tract of land conveyed to Chevelle Apartment Group, LLC, recorded in Instrument No. 201200127888, Official Public Records of Dallas County, Texas (O.P.R.D.C.T.) and continuing along the common line of said Lot 1, Block 2/5696 and Chevelle Apartment Group tract and with said curve to the left for a

total arc distance of 423.05 feet to a 1/2 inch iron rod with a plastic cap, stamped "West 682", found for corner at the end of said curve and same being the beginning of another non-tangent curve to the left, having a radius of 127.31 feet and a chord that bears South 22 deg. 47 min. 04 sec. East - 115.31 feet;

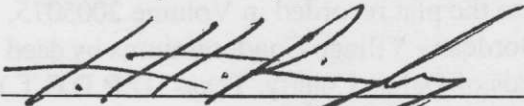
THENCE: Continuing along the common line of said Lot 1, Block 2/5696 and Chevelle Apartment Group tract and with said curve to the left, through a central angle of 53 deg. 51 min. 22 sec. and along an arc distance of 119.67 feet to a 1/2 inch iron rod with a plastic cap, stamped "West 682", found for corner at the end of said curve;

THENCE: South 49 deg. 37 min. 27 sec. East, continuing along the common line of said Lot 1, Block 2/5696 and Chevelle Apartment Group tract, a distance of 87.75 feet to the POINT OF BEGINNING and containing 898,745 square feet or 20.632 acres of land.

Note:

1. The Reference Bearing for the above prepared metes & bounds description is North 57 deg. 21 min. 30 sec. East, along the Southerly right-of-way line of Atwell Street as shown on the plat of Raytheon-Dallas Lemmon Avenue Addition, recorded in Instrument No. 200600036809 of the Plat Records of Dallas County, Texas.
2. This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.
3. A drawing exhibit of equal date, accompanies this metes & bounds description

Prepared Under My Hand and Seal,
This 30th Day of June, 2014.



 Lawrence H. Ringley, R.P.L.S.
 State of Texas, No. 4701



Prepared By:

RINGLEY & ASSOCIATES, INC.
 Texas Firm No. 10061300
 701 S. Tennessee Street
 McKinney, Texas 75069
 972-542-1266

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	91°17'31"	905.37	339.06'	S 26°02'48" W	337.11'
C2	127°19'00"	121.30'	321.30'	N 36°45'42" W	420.49'
C3	43°45'34"	458.23'	195.14'	S 26°33'30" E	340.95'
C4	48°49'17"	486.48'	43.05'	S 26°33'30" E	110.95'
C5	53°51'22"	127.31'	119.67'	S 22°47'04" E	115.31'

LEGEND

Vol. = Volume
Pg. No. = Page
Inst. No. = Instrument Number
D.R.D.C.T. = Deed Records, Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas
P.R.D.C.T. = Plat Records, Dallas County, Texas
R.O.W. = Right-of-Way

LINE	BEARING	DISTANCE
L1	S 49°37'27" E	100.17'
L2	S 15°13'18" W	3.83'
L3	N 74°46'18" W	289.47'
L4	S 04°17'31" E	192.29'
L5	S 48°47'50" W	177.93'
L6	S 43°37'40" E	278.11'
L7	S 42°54'34" W	178.74'
L8	N 46°09'11" W	100.02'
L9	S 89°10'59" W	16.54'
L10	S 44°41'47" W	100.12'
L11	N 45°40'47" W	53.17'
L12	N 51°20'40" E	100.82'
L13	S 48°37'27" E	87.75'

ADJOINING PROPERTY INFO

- A: Part of Block 2477
Sharrif Holdings, LLC
Inst. No. 200900025847-O.P.R.D.C.T.
- B: Part of Block 5696
Koyceete Partners, LLC
Inst. No. 201200378576-O.P.R.D.C.T.
- C: Part of Block 5698
Kings Road Realty, Ltd.
Inst. No. 200600368754-O.P.R.D.C.T.
- D: LOT 10, BLOCK A/2476
Lemmonwood Shopping Center
Vol. 83157, Pg. 4033-P.R.D.C.T.
- E: LOT 2, BLOCK A/2476
Lemmonwood Shopping Center
Vol. 93157, Pg. 4033-P.R.D.C.T.
- F: DALLAS AREA RAPID TRANSIT
Vol. 2004205, Pg. 6111-O.P.R.D.C.T.

EXHIBIT A

PAGE 5 OF 5

20.632 ACRES
Being All of
LOT 1, BLOCK 2/5696
RAYTHEON-DALLAS
LEMMON AVENUE ADDITION;
LOT 3, BLOCK 2/5696
CAMPBELL LEMMON
AVENUE ADDITION
And
Adjoining Public Right-of-ways
Miles Bennett Survey, A-52
City of Dallas
Dallas County, Texas

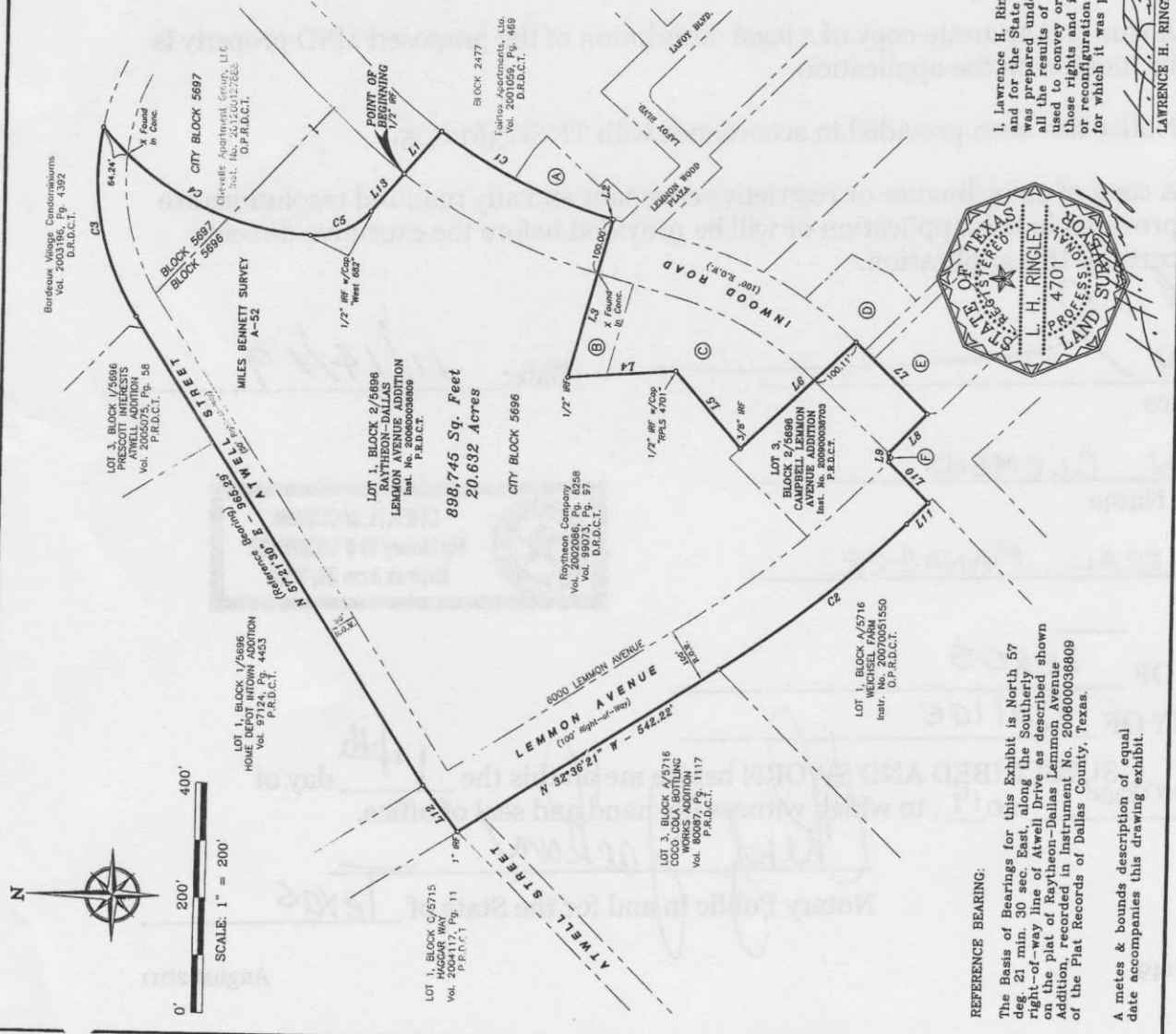
CERTIFICATION

I, Lawrence H. Ringley, Registered Professional Land Surveyor in and for the State of Texas, hereby certify that this document was prepared under 22 TAC 663.21, does not necessarily reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except the rights and interests implied or established by the creation or recognition of the boundary of the political subdivision for which it was prepared this 30th Day of June, 2015.

LAWRENCE H. RINGLEY, R.P.L.S. No. 4701

RINGLEY & ASSOCIATES, INC.
SURVEYING - MAPPING - PLANNING
Texas Firm Registration No. 10003300
701 S. Henderson (972) 542-1266

Drawn by	Date	Scale
Mack Stubb	06/30/15	1"=200'
Job	Title	Sheet
13040	13040-EX.DWG	5 of 5



REFERENCE BEARING:

The Basis of Bearings for this Exhibit is North 57 deg. 21 min. 30 sec. East, along the Southward right-of-way line of Atwell Drive as described shown on the plat of Raytheon-Dallas Lemmon Avenue Addition, recorded in Instrument No. 20060036808 of the Plat Records of Dallas County, Texas.

A metes & bounds description of equal date accompanies this drawing exhibit.

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Don Clemens, as an authorized representative of Raytheon Company, 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)

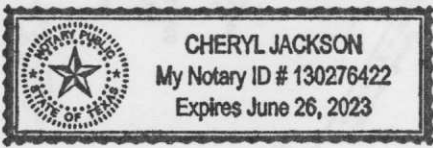
- The MSD eligibility criteria of THSC Section 361.803 are satisfied.
- True and accurate copies of all documents demonstrating that the MSD eligibility criteria provided by THSC 361.803 have been satisfied and are included with the application.
- A true and accurate copy of a legal description of the 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: 11/14/19

DON CLEMENS
Printed Name

GENERAL MANAGER
Title



STATE OF Texas
COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 14th day of November 2019, to which witness my hand and seal of office.

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