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Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 17, 2020

Mr. Eric Blaylock
RaceTrac Petroleum, Inc.
200 Galleria parkway, S.E., Suite 900
Atlanta, Georgia 30339

Re: Municipal Setting Designation (MSD) Certificate for 2410 and 2440 Walnut Hill Lane Site, located at 2410 and 2440 Walnut Hill Lane, Dallas, Dallas County, Texas; Voluntary Cleanup Program (VCP) No. 2914 (MSD 426); Customer No. CN600505283; Regulated Entity No. RN110905809

Dear Mr. Blaylock:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on November 8, 2019 and additional information supporting this MSD application on March 4, 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) 239-2205 or via e-mail (rodney.bryant@tceq.texas.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney Bryant".

Rodney Bryant, Project Manager
VCP-CA Section
Remediation Division

RB/jdm

cc: Ms. Erin Gorman, TCEQ, Waste Section Manager, DFW Regional Office, via email
Mr. Paul Rodusky, PG, The VERTEX Companies, Inc., via email

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, Beth Seaton, Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 426, 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.

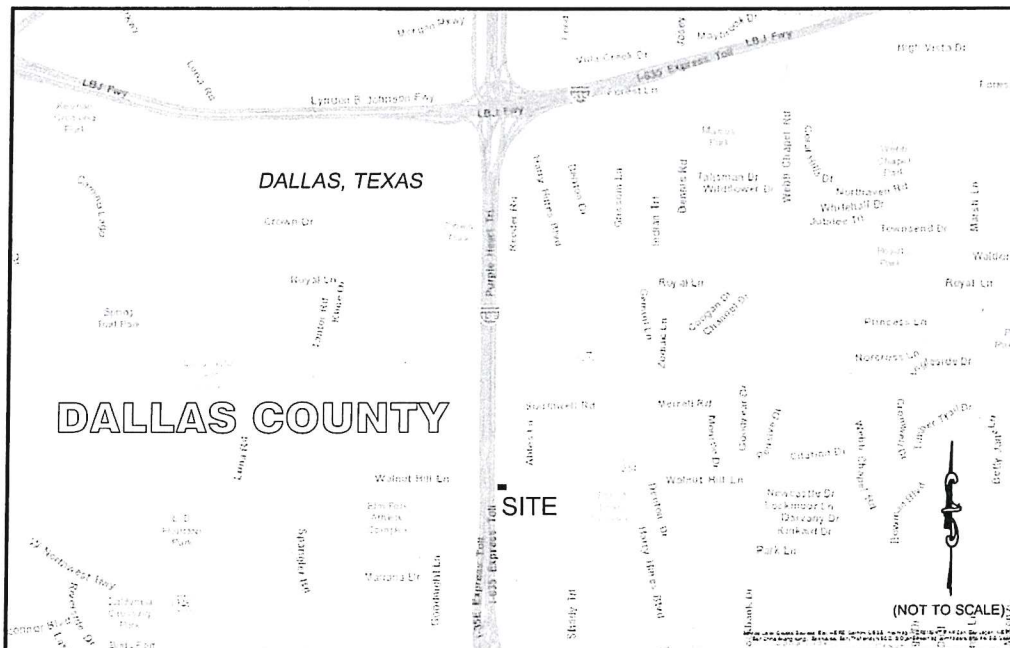
Any person addressing environmental impacts for a property located in the certified municipal setting designation shall complete any necessary investigation and response action requirements in accordance with Texas Health and Safety Code §361.808, in conjunction with the applicable Texas Commission on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

EXECUTED this the 17th day of April, 2020

Beth Seaton

Beth Seaton, Director
Remediation Division
Texas Commission on Environmental Quality

BOUNDARY SURVEY
FOR
MUNICIPAL SETTING DESIGNATION
AT
2410-2440 WALNUT HILL LANE
DALLAS, TX 75229



LOCATION MAP

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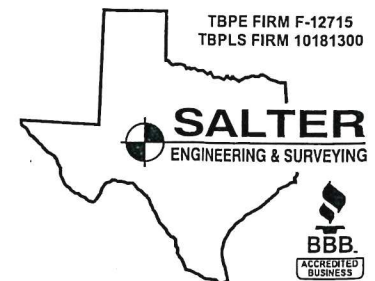
**BOUNDARY SURVEY FOR
MUNICIPAL SETTING DESIGNATION**

**2410-2440 WALNUT HILL LANE
DALLAS, TX 75229**

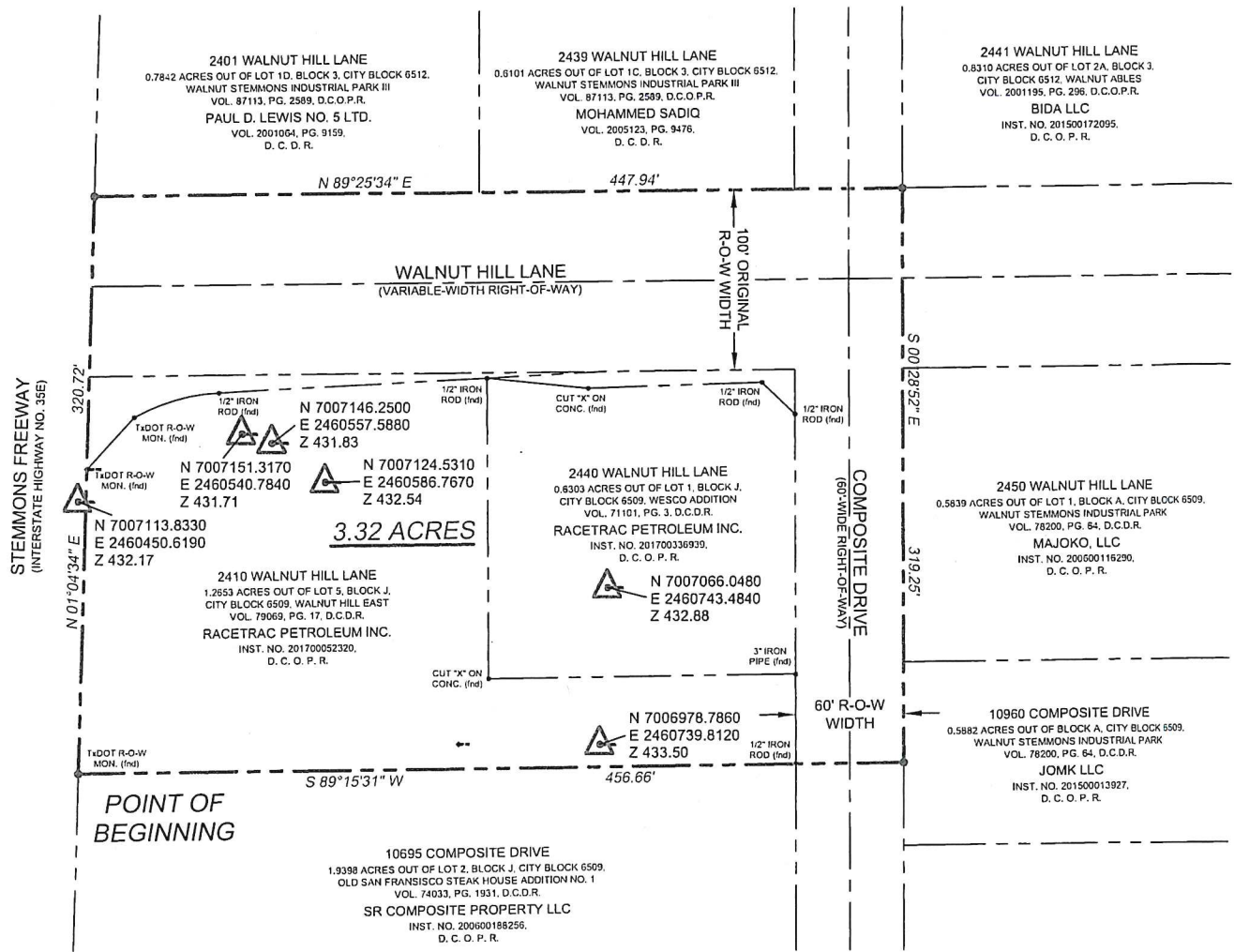
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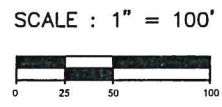
SHEET 1 OF 4



11401 PHEASANT CREEK DRIVE
FORT WORTH, TX 76244-7796
(866) 723-9009 Tel (866) 723-9003 Fax
www.SalterEngineering.com



POINT OF BEGINNING



**BOUNDARY SURVEY FOR
MUNICIPAL SETTING DESIGNATION**

**2410-2440 WALNUT HILL LANE
DALLAS, TX 75229**

DWG FILE 180259.dwg

DWG SCALE 1=100

TBPE FIRM F-12715
TBPLS FIRM 10181300

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LEGAL DESCRIPTION

A 3.32-acre tract out of the J. Hunt Survey, Abstract No. 588, Dallas County, Texas, in and adjacent to Dallas City Block No. 6509, being all of Lot 1, Block J, Wesco Addition, an addition to the City of Dallas, Texas, as shown on that certain map or plat thereof recorded in Volume 71101, Page 3, Dallas County Deed Records, a portion of Lot 5, Block J, Walnut Hill East, an addition to the City of Dallas, Texas, as shown on that certain map or plat thereof recorded in Volume 79069, Page 17, Dallas County Deed Records, and all of the adjacent rights-of-way of Walnut Hill Lane and Composite Drive, both dedicated public roads, said 3.32-acre tract being more specifically described by metes and bounds as follows:

BEGINNING at a TxDOT highway right-of-way monument found at the point of intersection of the east right-of-way line of Interstate Highway No. 35E, a dedicated state highway right-of-way commonly known as Stemmons Freeway, with the south line of said Lot 5, Block J, Walnut Hill East, lying SOUTH 89°15'31" WEST 396.66 feet from a 1/2-inch iron rod found at the southeast corner of said Lot 5, Block J, for the southwest corner and POINT OF BEGINNING of this tract;

THENCE NORTH 01°04'34" EAST along the east right-of-way line of said Stemmons Freeway and west line of said Lot 5, Block J, Walnut Hill East, at 169.31 feet pass a TxDOT highway right-of-way monument found at the point of intersection of the east right-of-way line of said Stemmons Freeway with the south right-of-way line of Walnut Hill Lane, a dedicated city street, and continuing for a total distance of 320.72 feet to a point being the point of intersection of said east right-of-way line with the north right-of-way line of said Walnut Hill Lane for the northwest corner of this tract;

THENCE leaving the east right-of-way line of said Stemmons Freeway, NORTH 89°25'34" EAST 447.94 feet along the north right-of-way line of said Walnut Hill Lane and along the south lines of Block 3, Walnut Stemmons Industrial Park No. 3, an addition to the City of Dallas, Texas, as shown on that certain map or plat thereof recorded in Volume 87113, Page 2589, Dallas County Deed Records, to a point being the point of intersection of said north right-of-way line with the east right-of-way line of Composite Drive, a dedicated city street, for the northeast corner of this tract;

THENCE leaving the north right-of-way line of said Walnut Hill Lane, SOUTH 00°28'52" EAST 319.25 feet along the east right-of-way line of said Composite Drive and the west line of Block A, Walnut Stemmons Industrial Park, an addition to the City of Dallas, Texas, as shown on that certain map or plat thereof recorded in Volume 78200, Page 64, Dallas County Deed Records, to a point for the southeast corner of this tract;

THENCE leaving the east right-of-way line of said Composite Drive, SOUTH 89°15'31" WEST, at 60.00 feet pass a 1/2-inch iron rod found on the west right-of-way line of said Composite Drive being the southeast corner of said Lot 5, Block J, and the northeast corner of Lot 2, Block J, Walnut Hill East, and continuing for a total distance of 456.66 feet along the south line of said Lot 5, Block J, and along the north line of said Lot 2, Block J, to the POINT OF BEGINNING, and containing 3.32 acres, more or less.

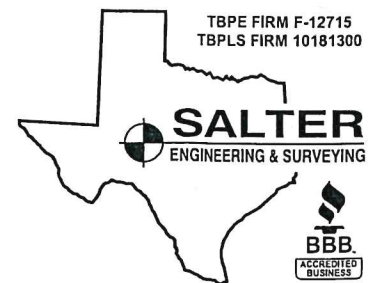
BOUNDARY SURVEY FOR
MUNICIPAL SETTING DESIGNATION

2410-2440 WALNUT HILL LANE
DALLAS, TX 75229

DWG FILE 180259.dwg

DWG SCALE 1=100

SHEET 3 OF 4



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LEGEND

BLDG. HEIGHT MEASUREMENT	FLAG POLE	PROPERTY LINE
M.S. MONUMENT SIGN	LIGHT POLE	PRIVACY FENCE
TRAFFIC FLOW	PIPE BOLLARD	OTHER FENCE
UNDERGROUND UTILITY BOX	UTILITY POLE	OVERHEAD UTILITY
CABLE PEDESTAL	UTIL. POLE W/ GUY ANCHOR	UNDERGROUND UTILITY
TELEPHONE PEDESTAL	ELECTRICITY METER	CONC. CURB & GUTTER
WATER VALVE	WATER METER	BUILDING
FIRE HYDRANT	MONITORING WELL	COVERED AREA
IRRIGATION CONTROL VALVE	SIGN	CONCRETE SURFACE
STORM SEWER MANHOLE	HANDICAP PARKING SPACE	ASPHALT SURFACE
SANITARY SEWER MANHOLE	REGULAR PARKING SPACES	GRAVEL SURFACE
TEL-COM MANHOLE	R.P.R. REAL PROPERTY RECORDS	STONE SURFACE
SANITARY SEWER CLEAN-OUT	C.M.R. COUNTY MAP RECORDS	WOODEN SURFACE
POWER TRANSFORMER	C.D.R. COUNTY DEED RECORDS	WATER SURFACE

BASIS OF BEARINGS

S 89°15'31" W FOR THE SOUTH LINE OF SUBJECT PROPERTY PER PLAT OF RECORD...

SURVEYOR'S CERTIFICATION

To: THE VERTEX COMPANIES, INC.

I, Brian Salter, Registered Professional Land Surveyor, hereby certify that this survey of the property located at: 2410-2440 WALNUT HILL LANE
DALLAS, TX 75229 and legally described hereon was made on the ground on this, the 28TH day of JUNE, 2018, by me or under my supervision and correctly shows the boundary lines, dimensions, and area of the land, and all alleys, streets, rights-of-way, easements, and other matters of record which, to my knowledge, affect the property. The undersigned further certifies that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, protrusions, overlapping of improvements, easements, or rights-of-way except as shown hereon.

BRIAN SALTER, PROFESSIONAL LAND SURVEYOR NO. 5597



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BOUNDARY SURVEY FOR MUNICIPAL SETTING DESIGNATION	
2410-2440 WALNUT HILL LANE DALLAS, TX 75229	
DWG FILE <u>180259.dwg</u>	SHEET <u>4</u> OF <u>4</u>
DWG SCALE <u>1=100</u>	

TBPE FIRM F-12715
TBPLS FIRM 10181300

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Exhibit B

Municipal Setting Designation

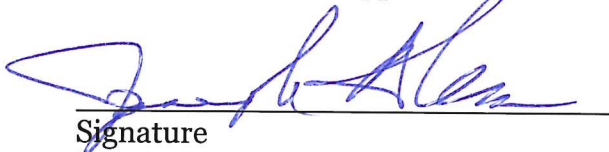
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared Joseph Akers, as an authorized representative of RaceTrac Petroleum, 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.


Signature

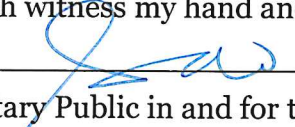
Date: 10/14/19

Joseph Akers
Printed Name
Chief Legal Officer
Title



STATE OF Georgia
COUNTY OF Cobb

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


Notary Public in and for the State of Georgia