

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*

April 19, 2021

Mr. Shanti Shah  
NOKHI Investments, LLC  
2508 Crossbend Road  
Plano, Texas 75023

Re: Municipal Setting Designation (MSD) Certificate for LeGrand Retail Center, located at 4550 Eldorado Parkway, McKinney, Collin County, Texas; MSD No. 448; Customer No. CN603253576; Regulated Entity No. RN104101639

Dear Mr. Shah:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced MSD application on December 1, 2020 and additional information supporting this MSD application on March 16, 2021. 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) 239-2205 or via e-mail ([rodney.bryant@tceq.texas.gov](mailto:rodney.bryant@tceq.texas.gov)).

Sincerely,

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

Rodney Bryant, Project Manager  
VCP-CA Section  
Remediation Division

RB

Enclosure: MSD Certificate

cc: Mr. Kevin W. Almaguer, P.G., EnviroPhase, Inc, (Geoscience Firm #50444) (Via email)  
Ms. Erin Gorman, Waste Section Manager, TCEQ Region 4 Office, Dallas/Fort 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, Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 448, in the City of McKinney 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 19<sup>th</sup> day of April, 2021

Beth Seaton, Deputy Director  
Remediation Division  
Texas Commission on Environmental Quality

**LEGAL DESCRIPTION  
MUNICIPAL SETTINGS DESIGNATION SURVEY  
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS  
1.895 ACRE TRACT**

**BEING**, a 1.895 acre tract of land situated in the Grafton Williams Survey, Abstract No. 976; said tract being all of Lot 4R1, Block A, Parkway Addition, an addition to the City of McKinney, Texas according to the plat recorded in Volume O, Page 273, Official Public Records, Collin County, Texas; said 1.895 acre tract being more particularly described as follows:

**BEGINNING**, at an x-cut found in the northeast right-of-way line of Eldorado Parkway (120' right-of-way) at the westernmost corner of said Lot 4R1, Block A; said point also being the southernmost corner of Lot 6R, Block A, Parkway Addition, an addition to the City of McKinney, Texas according to the plat recorded in Volume 2006, Page 544, of said Official Public Records;

**THENCE**, North 26 degree 16 minutes 56 seconds East, along the common line between said Lot 4R1, Block A and said Lot 6R, Block A, a distance of 270.32 feet to a 1/2" capped iron rod found at the northernmost corner of said Lot 4R1, Block A, the easternmost corner of said Lot 6R, Block A and a west corner of Lot 2, Block A, Parkway Addition, an addition to the City of McKinney, Texas according to the plat recorded in Cabinet K, Slide 534, of said Official Public Records; said point also being the beginning of a non-tangent curve to the right;

**THENCE**, along the common line between said Lot 4R1, Block A and said Lot 2, Block A and said curve to the right, having a radius of 3070.32 feet, arc length of 319.40 feet, a central angle of 05 degrees 57 minutes 38 seconds and a chord bearing and distance of South 60 degrees 44 minutes 15 seconds East, 319.26 feet to a point for corner; said point also being the northernmost corner of Lot 5R, Block A of Parkway Addition, an addition to the City of McKinney, Texas according to the plat recorded in Cabinet Q, Slide 224, of said Official Public Records;

**THENCE**, South 32 degrees 14 minutes 34 seconds West, departing said common line between Lot 4R1, Block A and Lot 2, Block A and along the common line between said Lot 4R1, Block A and said Lot 5R, Block A, a distance of 270.32 feet to an x-cut found for corner in the said northeast right-of-way line of Eldorado Parkway; said point also being the westernmost corner of said Lot 5R, Block A and in a non-tangent curve to the left;

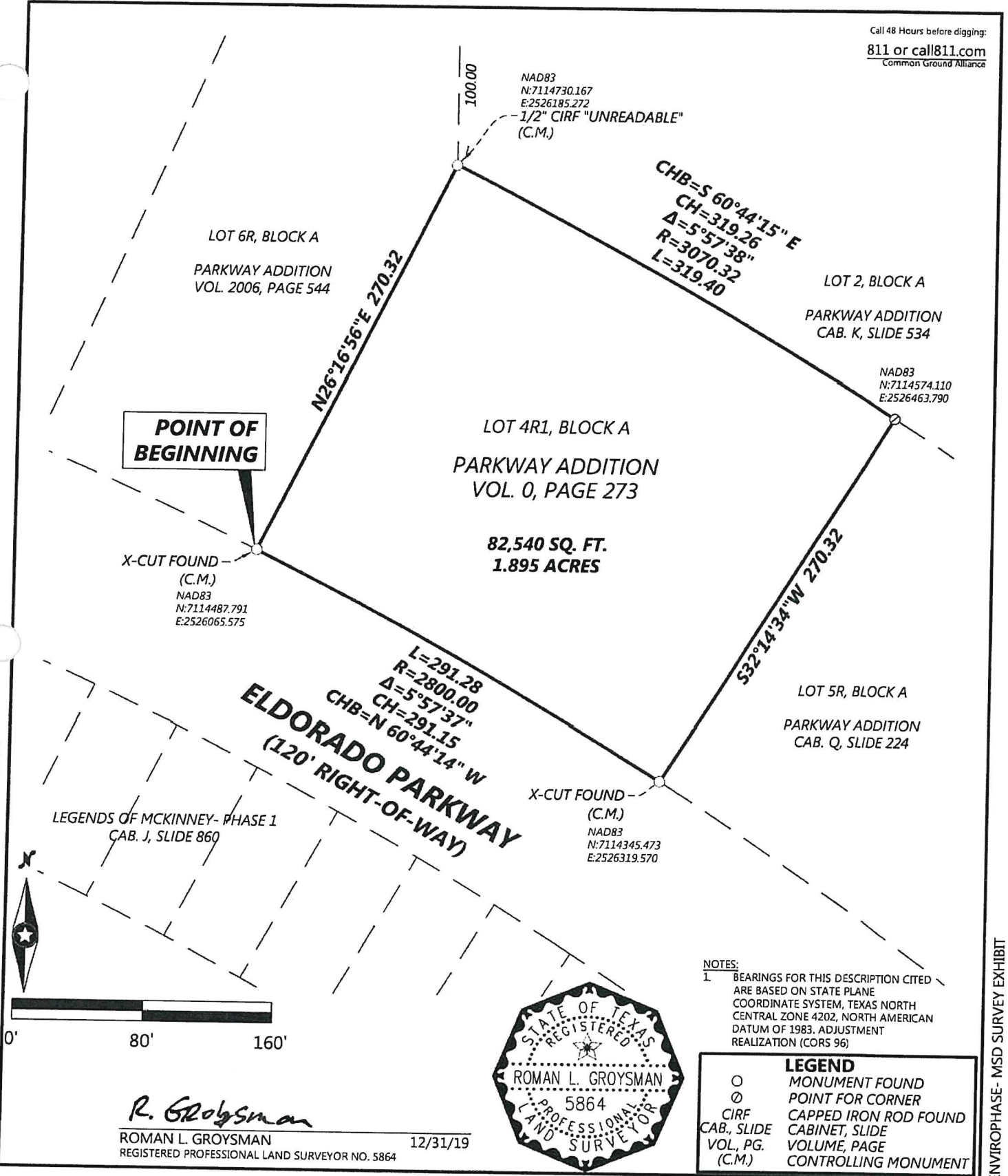
**THENCE**, in a northwesterly direction, along said northeast right-of-way line of Eldorado Parkway and said curve to left, having a central angle of 05 degrees 57 minutes 37 seconds, a radius of 2,800.00 feet, a chord bearing and distance of North 60 degrees 44 minutes 14 seconds West, 291.15 feet, an arc distance of 291.28 feet the **POINT-OF-BEGINNING**, containing **82,540 square feet or 1.895 acres** of land.

Bearings for this description cited are based on State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983. Adjustment Realization (CORS 96) An exhibit of even date accompanies this description. Date: 12/31/19

*R. Groysman*  
Roman L. Groysman  
Registered Professional Land Surveyor  
No. 5864



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ENVIROPHASE - MSD SURVEY EXHIBIT

**LEGRAND RETAIL CENTER**  
4550 ELDORADO PARKWAY,  
MCKINNEY, TEXAS

**Westwood**

Phone (214) 473-4640 2740 Dallas Parkway, Suite 280  
Toll Free (888) 937-5150 Plano, TX 75093  
westwoodps.com

Westwood Professional Services, Inc.  
TSPS FIRM REGISTRATION NO. F-11756  
TSPS FIRM REGISTRATION NO. 10074301

**MSD SURVEY EXHIBIT**

LOT 4R1, BLOCK A  
PARKWOOD ADDITION

PROJECT NUMBER: 0026118

SHEET NUMBER:

2 OF 2

DATE: 12/31/2019



**Exhibit B**  
**Municipal Setting Designation**  
**Affidavit of Eligibility**

BEFORE ME, the undersigned authority, on this day personally appeared  
Shanti Shah, as an authorized representative of  
Nokhi Investments, 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

*[Signature]*

Date: Nov 24th 2020

Printed Name

SHANTI SHAH

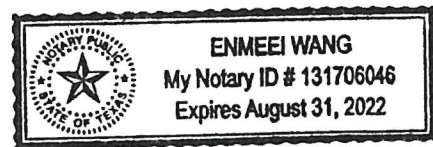
Title

STATE OF

Texas

COUNTY OF

Collin



SUBSCRIBED AND SWORN before me on this the 24 day of  
November 2020, to which witness my hand and seal of office.

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