

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 1, 2022

Ms. Lori Frauli Trulson
City of Dallas
1500 Marilla Street, Room 7AN
Dallas, Texas 75201

Re: Municipal Setting Designation (MSD) Certificate for City of Dallas, Hill Avenue Properties (Site), located at 501, 503, 509, 513, and 517 South Hill Avenue, Dallas, Dallas County, TX; Municipal Setting Designation (MSD) No. 469; Regulated Entity No. RN108310202; Customer No. CN600331730

Dear Ms. Frauli-Trulson:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on November 9, 2021, and additional information supporting this MSD application on February 15, 2022. 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) 239-3044 or via e-mail (timothy.eckert@tceq.texas.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Timothy Eckert".

Timothy Eckert, Project Manager
VCP-CA Section
Remediation Division

Enclosure: MSD Certificate

cc: Ms. Carolyn May, Halff Associates, Inc. (via e-mail)
Ms. Erin Gorman, Waste Section Manager, TCEQ DFW Regional Office, R-4

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. 469, 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 31st day of March, 2022

Beth Seaton

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

FIELD NOTES DESCRIBING A 1.896 ACRE (82,582 SQ. Feet)
TO BE DESIGNATED AS "MUNICIPAL SETTING DESIGNATION (MSD) AREA"
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 205 [MSD])
OFFICIAL CITY OF DALLAS BLOCK 2/808
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM FRANK BROWN HINKLEY III, JOE CORY HINKLEY AND
JERE BOB HINKLEY

BEING a 82,582 square foot (1.896 acre) tract of land, situated in the John Grigsby Survey, Abstract Number 495, including a portion of the STOUT'S SUBDIVISION, recorded in Volume 91, Page 274, Deed Records, Dallas County, Texas (D.R.D.C.T.), in the city of Dallas, Dallas County, Texas, City of Dallas Block 2/808, same being all of that certain tract of land conveyed to FRANK BROWN HINKLEY III, JOE CORY HINKLEY, AND JERE BOB HINKLEY, by deeds recorded in Volume 90248, Page 1497, Volume 5385, Page 524 (unplatted), and Volume 5383, Page 550 (unplatted with a portion of Lots 6 and 7, STOUT'S SUBDIVISION, recorded in Volume 91, Page 274, Deed Records, Dallas County, Texas), all of that certain tract of land conveyed to FRANK B. HINKLEY III, JOE C. HINKLEY, AND JERE B. HINKLEY, by deed recorded in Volume 83068, Page 1201 (unplatted), all of that certain tract of land conveyed to HINCKLEY COLD STORAGE, INC. by deed recorded in Volume 75172, Page 991 (unplatted), together with a portion of Hill Avenue (variable R.O.W.) by use and occupation together with a portion as dedicated on plat of ASSURED GROUP ADDITION NO. 2, as recorded in Instrument Number 20080012006, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and a remaining portion of Pacific Avenue (20' Width) as recorded in Volume O, Page 62 (D.R.D.C.T.), and being further described as follows:

BEGINNING at the intersection of the easterly line of that certain tract of land conveyed to DALLAS AREA RAPID TRANSIT, by deed recorded in Volume 95201, Page 3378, Deed Records, Dallas County, Texas (D.R.D.C.T.), with the northerly line of Hill Avenue (variable width R.O.W.), as dedicated on plat of Lot 8A, Block 1/808, of ASSURED GROUP ADDITION NO.2, an addition to the City of Dallas, recorded in Instrument Number 20080012006, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), same being the southeasterly corner of LOT 8A of said ASSURED GROUP ADDITION NO.2;

THENCE South 52 degrees 57 minutes 26 seconds East, departing said easterly line and along the southerly line of said Lot 8A, further being the northerly line of said R.O.W. Dedication of Hill Avenue, for a distance of 77.47 feet;

THENCE South 73 degrees 28 minutes 15 seconds East, continuing along said southerly and northerly lines, for a distance of 125.46 feet, to its intersection with the westerly line of Lot 7, Block 1/808, R.D. MORTON'S ADDITION, an addition to the City of Dallas, recorded in Volume 112, Page 290, Map Records, Dallas County, Texas (M.R.D.C.T.);

THENCE South 16 degrees 53 minutes 57 seconds West, departing said southerly and northerly lines, along said westerly line, same being the easterly line of said R.O.W. Dedication of Hill Avenue, for a distance of 2.00 feet, to the southwesterly corner of said lot 7 tract, same being in the the northerly line of Hill Avenue;

THENCE South 73 degrees 28 minutes 15 seconds East, departing said westerly line, along said northerly line and the southerly line of said Lot 7 tract, for a distance of 42.65 feet, to its intersection of Hill Avenue with the west line of R.L. THORNTON FREEWAY (I.H. 30) (Variable R.O.W.), as recorded in Volume 5375, Page 44, D.R.D.C.T. and the northerly line of said Hill Avenue (by use and occupation), further being the southeast corner of said Lot 7 tract;

(Continued)



FIELD NOTES APPROVED:

[Signature] 5/3/16

ARS
Engineers, Inc.

12801 N. Central Expressway Suite 1250
Dallas, Texas 75243
(214) 739-3152 Fax (214) 739-3169

Engineering Firm #F-819 Surveying Firm #101319-00

Sheet 1 of 3

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THENCE South 29 degrees 09 minutes 41 seconds West, departing said northerly and southerly lines, along the west line of said R.L. THORNTON FREEWAY, same being the easterly line of Hill Avenue (by use and occupation) for a distance of 79.44 feet to the northerly line of the remainder of Lot 7, Block 2/808, STOUT'S SUBDIVISION, and addition to the City of Dallas as recorded in Volume 91, Page 274, D.R.D.C.T.;

THENCE South 29 degrees 03 minutes 32 seconds West, along the west line of said R.L. THORNTON FREEWAY, same being the easterly line of remainder of said Lot 7, passing at a distance of 115.24 feet, the northeasterly corner of the remainder of Lot 6 of said addition, same being the southeasterly corner of said remainder of Lot 7, continuing over and across said remainder Lot 6, along the westerly line of said remainder Lot 6, eventually passing at a distance of 230.48 feet, the northeasterly corner of a remaining section of Pacific Avenue (20' R.O.W.), same being the southeasterly corner of said Lot 6, continuing over and across Pacific Avenue, along the easterly line of said Pacific Avenue, for a total distance of 251.21 feet, to the intersection of the southerly line of said Pacific Avenue, same being the northerly line of that certain tract of land conveyed to DALLAS AREA RAPID TRANSIT (80' R.O.W.), by deed recorded in Volume 90177, Page 4230, D.R.D.C.T., with the west line of said R.L. THORNTON FREEWAY;

THENCE North 73 degrees 23 minutes 12 seconds West, departing said westerly and easterly line, along the northerly line of said DALLAS AREA RAPID TRANSIT tract and the southerly line of said Pacific Avenue, passing at a distance of 155.51 feet, the southerly corner of the aforementioned tract of land conveyed to FRANK BROWN HINKLEY III, JOE CORY HINKLEY, AND JERE BOB HINKLEY, by deed recorded in Volume 90248, Page 1497, same being the southwesterly corner of said Pacific Avenue, continuing for a total distance of 254.57 feet to a 1/2" iron rod found (controlling monument) at the intersection of said northerly line with the aforementioned easterly line of that certain tract of land conveyed to DALLAS AREA RAPID TRANSIT by deed recorded in Volume 95201, Page 3378, same being the westerly line of said FRANK BROWN HINKLEY III, JOE CORY HINKLEY, AND JERE BOB HINKLEY tract;

THENCE North 30 degrees 14 minutes 39 seconds East, along said easterly and westerly lines, same being the westerly line of said Block 2/808, passing at a distance of 331.83 feet, a 3/8" bolt (controlling monument) found for the northeasterly corner of said FRANK BROWN HINKLEY III, JOE CORY HINKLEY, AND JERE BOB HINKLEY tract, same being the southeasterly corner of the aforementioned ROW dedication to Dallas Area Rapid Transit, continuing over and across said Row dedication to Dallas Area Rapid Transit, along the westerly line of said Row dedication to Dallas Area Rapid Transit, for a total distance of 361.84 feet to the POINT OF BEGINNING and containing 82,582 square feet or 1.896 acres of land, more or less.

BASIS OF BEARINGS IS US STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS NORTH CENTRAL ZONE (4202).



FIELD NOTES APPROVED:

2ER 5/3/16



ARS
Engineers, Inc.

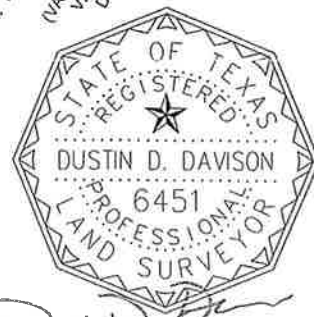
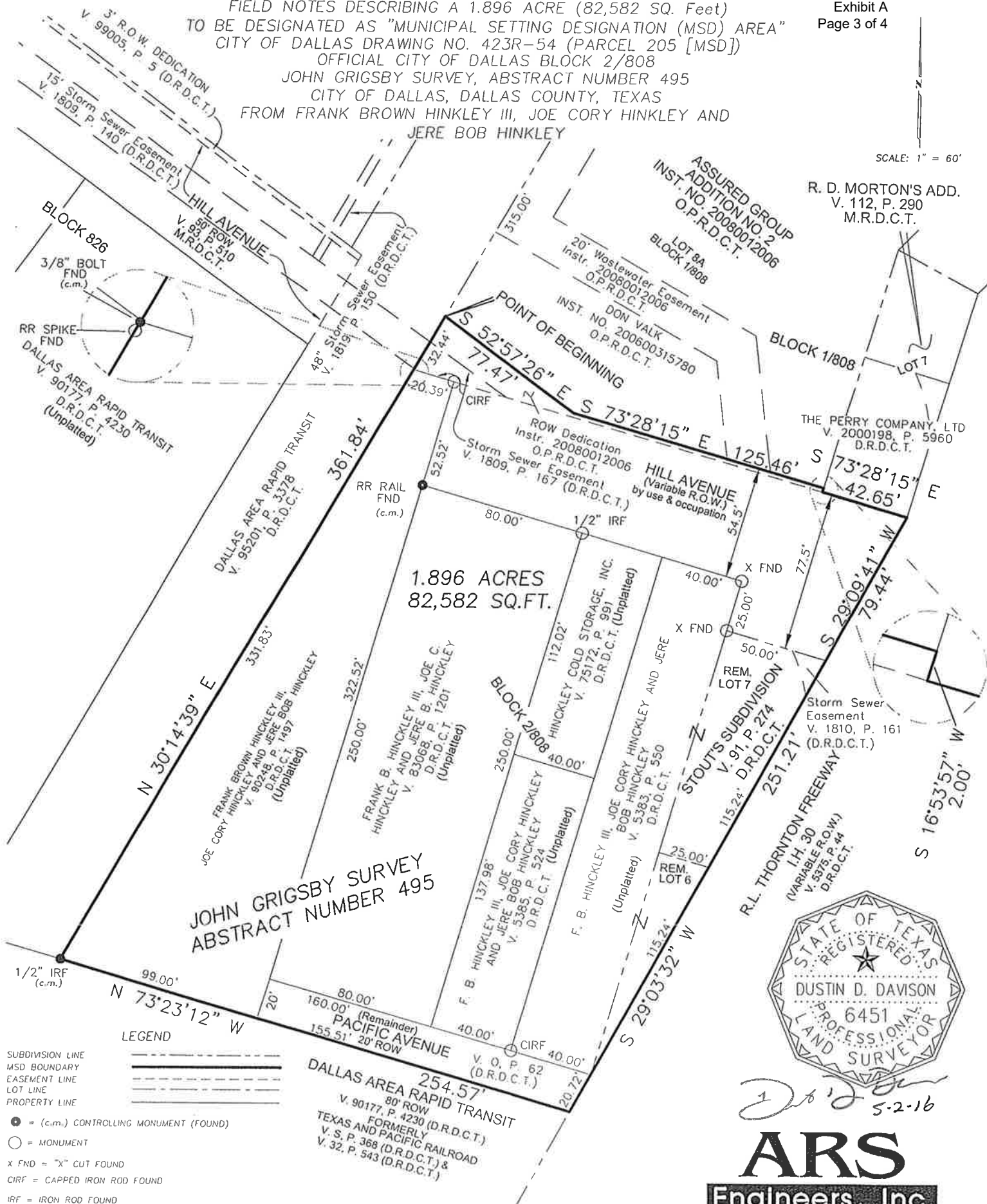
12801 N. Central Expressway Suite 1250
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SCALE: 1" = 60'

R. D. MORTON'S ADD.
V. 112, P. 290
M.R.D.C.T.



5-2-16

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SUBDIVISION LINE
MSD BOUNDARY
EASEMENT LINE
LOT LINE
PROPERTY LINE

LEGEND

● = (c.m.) CONTROLLING MONUMENT (FOUND)
○ = MONUMENT
X FND = "X" CUT FOUND
CIRF = CAPPED IRON ROD FOUND
IRF = IRON ROD FOUND

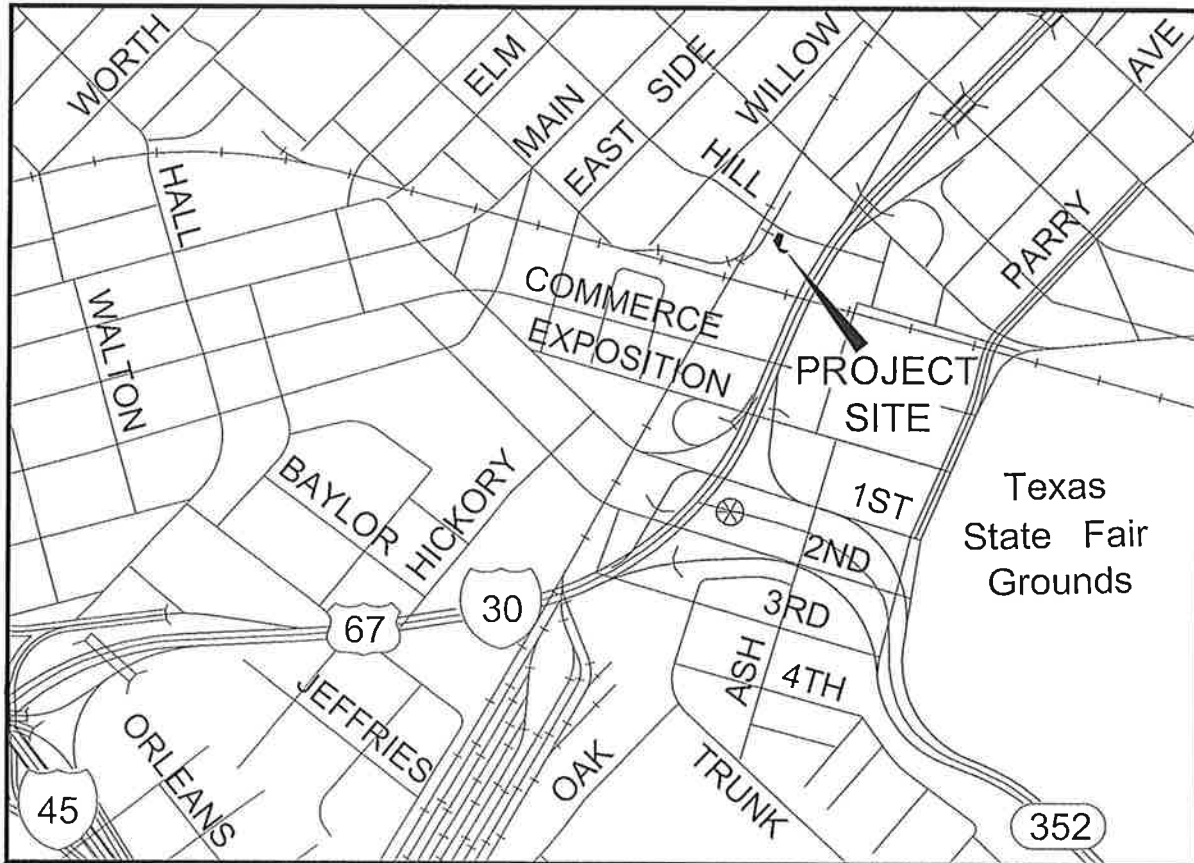
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS

O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

BASIS OF BEARINGS IS US STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS NORTH CENTRAL ZONE (+202).

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MAPSCO: 045-K



LOCATION MAP

NOT TO SCALE

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Exhibit B

Municipal Setting Designation

Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Terry S. Lowery, as an authorized representative of
City of Dallas, 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

Terry S. Lowery

Printed Name

Director, Dallas Water Utilities

Title

Date: 10/27/21



STATE OF Texas

COUNTY OF Dallas

SUBSCRIBED AND SWORN before me on this the 27th day of
October 2021, to which witness my hand and seal of office.

Notary Public in and for the State of 5-3-23