

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

August 4, 2022

Mr. Matthew Jolly
SL5 Urban Industrial, LP
100 Crescent Court, Suite 850
Dallas, Texas 75201

Re: Municipal Setting Designation (MSD) Certificate for SL5 Urban Industrial, LP, 5145 & 5151 Norwood Road Site, located at 5145 and 5151 Norwood Road, Dallas, Dallas County, TX; MSD No. 468; Customer No. CN605666916; Regulated Entity No. RN110714151

Dear Mr. Jolly:

The Texas Commission on Environmental Quality (TCEQ) received the above referenced Municipal Setting Designation (MSD) application on November 8, 2021, and additional information supporting this MSD application on March 15, 2022, May 2, 2022, and July 13, 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) 239-3170 or via e-mail (lisbeth.chavira@tceq.texas.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisbeth Chavira".

Lisbeth Chavira, Project Manager
VCP-CA Section
Remediation Division

LC/jdm

cc: Mr. Clayton Snider, Braun Intertec Corporation (via email)
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, Beth Seaton, Deputy Director, Remediation Division, TCEQ, certify the Municipal Setting Designation (MSD) for MSD No. 468, 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 3rd day of August, 2022

Beth Seaton

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

MUNICIPAL SETTING DESIGNATION SURVEY

EXHIBIT "A"

Exhibit A

Page 1 of 2

SHEET 1 OF 2

5145-5151 NORWOOD ROAD

Being all that certain lot, tract or parcel of land located in the JAMES McLAUGHLIN SURVEY, ABSTRACT NO. 845, City of Dallas, Dallas County, Texas, and being part of Lot 3, Block B/7702, H.R. Pearce Subdivision, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 71061, Page 2184, Deed Records, Dallas County, Texas, and being part of Norwood Road, a 60' right-of-way, and being part of Profit Drive, a variable width right-of-way, and being more particularly described as follows:


Beginning at a point in the East line of said Norwood Road, same being the West line of Lot 1, Block B/7701, Comtrans Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2005156, Page 262, Map Records, Dallas County, Texas;

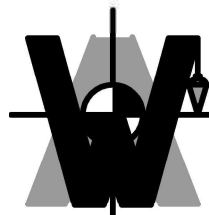
Thence North 89°41'26" West, a passing at a distance of 60.00' a 1/2" iron rod found in the West line of said Norwood Road, at the Southeast corner of said Lot 3, same being the Northeast corner of Lot 2, Block B/7702, Rains Subdivision, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 70048, Page 1683, Map Records, Dallas County, Texas, and passing at a distance of 364.56' a 1/2" iron rod found in the East line of said Profit Drive, at the Southwest corner of said Lot 3, same being the Northwest corner of said Lot 2, and continuing a total distance of 434.47' to a point in the West line of said Profit Drive, same being the East line of that portion of City Block 7702 described in deed to Guardian Associates, LLC, recorded in Volume 2000148, Page 4520, Deed Records, Dallas County, Texas;

Thence North 00°42'07" West, along said West line and said East line, a distance of 425.70' to a point for corner;

Thence South 89°35'00" East, passing at a distance of 70.00' the East line said Profit Drive, and passing at a distance of 383.41' the said West line of Norwood Road, and continuing a total distance of 443.40' to a point in the said East line of Norwood Road, same being the West line of Lot 1, Block A/7701, Mullins Property Company Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 85124, Page 2808, Map Records, Dallas County, Texas;

Thence South 00°30'00" West, passing at a distance of 34.94' a 1/2" iron rod found at the intersection of the North line of Halifax Street a 40' right-of-way, with the said East line of Norwood Road, and passing at a distance of 74.41' a 5/8" iron rod found at the intersection of the North line of said Halifax Street with the said East line of Norwood Road, and continuing a total distance of 424.81' to the PLACE OF BEGINNING and containing 186, 643 square feet or 4.285 acres of land.


John S. Turner, R.P.L.S. #5310



A&W SURVEYORS, INC.

Professional Land Surveyors

TEXAS REGISTRATION NO. 100174-00

P.O. BOX 870029, MESQUITE, TX. 75187

PHONE: (972) 681-4975 FAX: (972) 681-4954

WWW.AWSURVEY.COM

Job Number: 19-0330

Date: 03-11-2019

Drafter: 967

"A professional company operating in your best interest"

MUNICIPAL SETTING DESIGNATION SURVEY

EXHIBIT "A"

Exhibit A

Page 2 of 2

SHEET 2 OF 2

5145-5151 NORWOOD ROAD

LOT 4
H.R. PEARCE SUBDIVISION
VOL. 74208, PG. 326,
M.R.D.C.T.
NORWOOD ORGANIZATION, L.P.
VOL. 2004070, PG. 8974,
D.R.D.C.T.

LOT 1, BLOCK A7701,
MULLINS PROPERTY
COMPANY ADDITION,
VOL. 85124, PG. 2808,
M.R.D.C.T.

PFC 1/2" IRS
PASSING
@ 70.00'

S 89°35'00" E PLAT 443.40'

PASSING
@ 383.41'

1/2" IRF

PFC

1/2" IRF

PASSING
@ 34.94'

5/8" IRF

PASSING
@ 74.41'

HALIFAX STREET
(VARIABLE WIDTH RIGHT-OF-WAY)

424.81'

S 00°30'00" W PLAT
(REFERENCE BEARING)

LOT 1, BLOCK B7701,
COMTRANS ADDITION,
VOL. 2005156, PG. 262,
M.R.D.C.T.

BLOCK 7702
GUARDIAN ASSOCIATES, LLC,
VOL. 2000148, PG. 4520,
D.R.D.C.T.

N 00°42'07" W PLAT 425.70'

PROFIT DRIVE
(VARIABLE WIDTH RIGHT-OF-WAY)

PART OF LOT 3,
BLOCK B7702
H.R. PEARCE SUBDIVISION
VOL. 71061, PG. 2184,
D.R.D.C.T.
WILLSIE TEXAS PROPERTIES, LLC
INST. NO. 201300000635,
O.P.R.D.C.T.

JAMES MCLAUGHLIN SURVEY
ABSTRACT NO. 845
186,643 SQ. FT.
4.285 ACRES

NORWOOD ROAD
(60' RIGHT-OF-WAY)

PFC 1/2" IRF

N 89°41'26" W MEAS. 434.47'
(N 89°35'00" W PLAT)

PASSING
@ 364.56'

1/2" IRF

PASSING
@ 60.00'

PFC

**PLACE OF
BEGINNING**

LOT 2, BLOCK B7702,
RAINS SUBDIVISION,
VOLUME 70048, PAGE 1683,
M.R.D.C.T.

JUAN CARLOS DURAN
INST. NO. 201500159071,
O.P.R.D.C.T.

X-FND

5/8" IRF

5/8" IRF



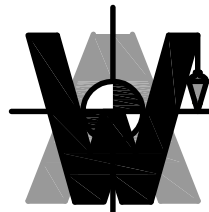
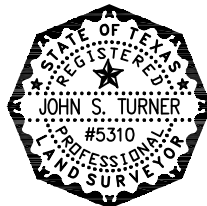
0 100

GRAPHIC SCALE

1-INCH = 100 FEET

BASIS OF BEARING DERIVED FROM
VOL. 71061, PG. 2184, M.R.D.C.T.

John S. Turner
John S. Turner, R.P.L.S. #5310



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Exhibit B

Municipal Setting Designation

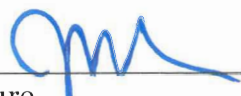
Affidavit of Eligibility

BEFORE ME, the undersigned authority, on this day personally appeared
Mr. John Kiltz, as an authorized representative of
SL5 Urban Industrial, LP, 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: October 15, 2021

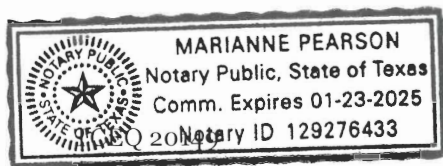
John Kiltz
Printed Name

Co-President
Title

STATE OF TEXAS

COUNTY OF TRAVIS

SUBSCRIBED AND SWORN before me on this the 15 day of
OCTOBER 2021, to which witness my hand and seal of office.



Marianne Pearson
Notary Public in and for the State of TEXAS